

**CITY OF BRIDGEPORT
MISCELLANEOUS MATTERS
COMMITTEE
REGULAR MEETING
JUNE 28, 2021**

ATTENDANCE: Scott Burns, Co-chair; M. Evette Brantley, Matthew McCarthy, Samia Suliman, Denese Taylor-Moye

OTHERS: Council Member(s): M. McBride-Lee, J. Herron (6:04 p.m.); E. Newton & M. Pereira; Thomas Gaudett, Mayoral Aide; Constance Vickers, Legislative Liaison; Veronica Jones, Tax Collector; Atty. Mark Anastasi, City Attorney's Office; Atty. Lawrence Ouellette, City Attorney's Office; Atty. Rich Kascak, City Attorney's Office; Barbara, Charles Griggs, Tyler Mack, 203-209-2058; 203-257-2139; 203-275-6420; 203-371-6058; 203-414-0712; 203-576-7271; 203-673-7218

CALL TO ORDER

Co-chair Burns called the meeting to order at 6:04 p.m. A quorum was present.

He stated that Council Member Vizzo-Paniccia would not be attending due to health issues.

Council Member Herron joined the meeting at 6:04 p.m.

APPROVAL OF COMMITTEE MINUTES:

• May 24, 2021 (Regular Meeting)

**** COUNCIL MEMBER BRANTLEY MOVED THE MINUTES OF THE MAY 24, 2021 REGULAR MEETING.**

**** COUNCIL MEMBER TAYLOR-MOYE SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE MAY 24, 2021 REGULAR MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

61-20 Refund of Excess Payments – Home Depot USA, Inc.

Ms. Jones greeted everyone and apologized for her absence at the last meeting. She explained that these refunds were due back to the businesses either because they overpaid, a duplicate payment was made by the mortgage company or the assessors reduced the value of the property.

Council Member Brantley asked if they had to consider these refunds individually or if they should group them together. Council Member Burns said that they should do them individually.

Council Member McCarthy asked Ms. Jones to say the reason the refund was necessary. Ms. Jones said that Home Depot had made a duplicate, excessive payment. She said that it might have been a timing issue with Home Depot office receiving a bill after they had already paid.

Council Member Brantley asked what year this was for. Ms. Jones said that it was the 2019 Grand List for their personal property. Council Member Brantley asked Ms. Jones to state the year.

**** COUNCIL MEMBER BRANTLEY MOVED TO APPROVE AGENDA ITEM 61-20 REFUND OF EXCESS PAYMENTS – HOME DEPOT USA, INC.
** COUNCIL MEMBER TAYLOR-MOYE SECONDED.**

Council Member Pereira asked if it was an overpayment on personal property taxes. She wished to know if this was the normal amount for personal property. Ms. Jones said that there might be other business names involved, but that would be a question for the Tax Assessor to answer.

**** THE MOTION TO APPROVE AGENDA ITEM 61-20 REFUND OF EXCESS PAYMENTS – HOME DEPOT USA, INC. PASSED UNANIMOUSLY.**

62-20 Refund of Excess Payments – Penske Leasing and Rental Co.

Ms. Jones said that this was from the 2019 Grand List Assessment and a bill was sent because their first payment was short. When Penske received the bill for the difference, they paid the bill again in full.

Council Member Pereira asked whether refunding the \$1,400 would leave the City short again. Ms. Jones said the City would not and reviewed the details with her.

**** COUNCIL MEMBER MCCARTHY MOVED TO APPROVE AGENDA ITEM 62-20 REFUND OF EXCESS PAYMENTS – PENSKE LEASING AND RENTAL CO.
** COUNCIL MEMBER TAYLOR-MOYE SECONDED.**

Council Member Suliman asked for verification on the amount owed. Ms. Jones reviewed the amounts with her.

**** THE MOTION TO APPROVE AGENDA ITEM 62-20 REFUND OF EXCESS PAYMENTS – PENSKE LEASING AND RENTAL CO. PASSED UNANIMOUSLY.**

63-20 Refund of Excess Payments – Primrose Companies, Inc.

Ms. Jones gave a brief overview of the account which was on 2018 real estate. The mortgage company explained that the mortgage was in escrow and the property owner sent in the payment also.

Council Member Brantley asked if the City was obligated to notify the company or resident. Ms. Jones explained that the taxpayers only have 3 years to claim their refund. Therefore, anyone who had an overpayment in 2017 would no longer be eligible to receive a refund.

Council Member McCarthy asked for clarification on the payment timeline. Discussion followed.

Council Member Burns asked what account the funds would be deducted from. Ms. Jones said that it would be coming from a reserve that was created for this reason.

Council Member Pereira stated that Mr. Guedes was a preferred City developer and received large tax abatements. She wished to know if this was the full amount. Ms. Jones confirmed that it was.

Council Member McCarthy asked if the taxpayers ever ask to apply the funds to the coming year. Ms. Jones said that they do.

**** COUNCIL MEMBER MCCARTHY MOVED TO APPROVE AGENDA ITEM 63-20 REFUND OF EXCESS PAYMENTS – PRIMROSE COMPANIES, INC.**

**** COUNCIL MEMBER TAYLOR-MOYE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

64-20 Refund of Excess Payments – People’s United Bank.

Ms. Jones said that this was for 2019 real estate payment similar to the Primrose company.

Council Member McCarthy asked for clarification on who owns the property where the bank was located. Ms. Jones said that it was listed under 1730 State Street, Limited Partnership and the property is still owned by the same entity.

Council Member McCarthy pointed out that there was a handwritten address on the document. Ms. Jones stated that People’s Bank staff had made that notation.

Council Member Pereira asked for clarification on the payments. Ms. Jones explained that the Limited Partnership and the Bank had both paid. People’s Bank, which was the mortgage company, had requested their payment back.

Council Member Pereira said that she wished to know how the payment from the Limited Partnership was legitimate. Ms. Jones said that People’s Bank had the escrow account and they had requested a refund. People’s Bank handles the escrow account regardless of where the bank was located.

**** COUNCIL MEMBER TAYLOR-MOYE MOVED TO APPROVE AGENDA ITEM 64-20 REFUND OF EXCESS PAYMENTS – PEOPLE’S UNITED BANK.**

**** COUNCIL MEMBER BRANTLEY SECONDED.**

**** THE MOTION PASSED WITH THREE IN FAVOR (TAYLOR-MOYE, BRANTLEY AND MCCARTHY) AND ONE (1) OPPOSED (SULIMAN).**

65-20 Refund of Excess Payments – Seaview Bridgeport II LLC.

This refund is for the business personal property located on Seaview Avenue and the amount was reduced by the Assessor because the amount was already included on the real estate bill. This is from the 2018 Grand List.

Council Member McCarthy asked how the Assessor knew to check this. Ms. Jones said that she did not know but suggested that the property owner may have come in to talk about it. Council Member McCarthy said that he did not understand how the real property would include the real estate taxes. Ms. Jones reviewed the amounts with the Committee and noted that what she was seeing on the report appeared to indicate that the personal property was included on the bill. The Tax Assessor was not on the call.

Council Member McCarthy said that he was uncomfortable with this and would like to table this until the Tax Assessor was available to provide the information.

**** COUNCIL MEMBER MCCARTHY MOVED TO TABLE AGENDA ITEM 65-20 REFUND OF EXCESS PAYMENTS – SEAVIEW BRIDGEPORT II LLC.**

**** COUNCIL MEMBER SULIMAN SECONDED.**

**** THE MOTION TO TABLE AGENDA ITEM 65-20 REFUND OF EXCESS PAYMENTS – SEAVIEW BRIDGEPORT II LLC PASSED UNANIMOUSLY.**

79-20 Proposed Resolution holding Police Financially Accountable in Brutality Settlements.

Council Member Newton related an incident where an individual was arrested and handcuffed at a park. Another officer arrived on the scene and began kicking the individual, who was already handcuffed.

Council Member Newton said that the original idea for the resolution was to deduct the money for these types of brutality cases from overtime.

Attorney Anastasi said the item that was listed on the Agenda, is one that requires police brutality settlements to be paid out of the Police Outside Overtime account. Attorney Anastasi said that he had sent Council Member Newton a document explaining the funding process.

Attorney Anastasi noted that Chapter 9, Section 3A would be problematic. The salary accounts must be used exclusively for that purpose. Attorney Anastasi went on to review the details with the Committee.

Council Member Newton said that Washington and Hartford had issued some legislation on this type of situation. Council Member Newton pointed out that the resolution submitted by Council Member Pereira had the liability coming from the overtime account. Council Member Newton

explained that his resolution proposed that the individual officer be held liable. He said that the General Assembly was considering this.

Attorney Anastasi said that there may have been a mix up in the paperwork because the resolution he saw had Council Member Newton as sponsor and Council Member Herron listed as a co-sponsor.

Council Member Newton said that he would like to have this tabled until they could straighten this out.

Council Member Brantley said that she believed that Attorney Anastasi's comments involved qualified immunity on the Federal level. She said that she would make a motion to table on behalf of Council Member Newton. Council Member Taylor-Moye said that she would be willing to second that motion.

Council Member Pereira indicated that the resolution clearly indicates in the therefore section the funding would come from the overtime account.

Council Member McBride-Lee said that taking the money from the overtime account would hurt the other police officers who had nothing to do with the incident. The officer involved should be the one that is sued.

Council Member Burns said that the resolution did not reflect the stated intent. Council Member Newton said that he would like to change the language so that the officers were held accountable. He thanked the Committee for honoring his request to table.

Council Member Burns said that there were some interesting ideas being discussed about having liability insurance for police officers, similar to the type of insurance doctors have.

**** COUNCIL MEMBER BRANTLEY MOVED TO TABLE AGENDA ITEM 79-20 PROPOSED RESOLUTION HOLDING POLICE FINANCIALLY ACCOUNTABLE IN BRUTALITY SETTLEMENTS FOR FURTHER CLARIFICATION.**

**** COUNCIL MEMBER TAYLOR-MOYE SECONDED.**

**** THE MOTION TO TABLE AGENDA ITEM 79-20 PROPOSED RESOLUTION HOLDING POLICE FINANCIALLY ACCOUNTABLE IN BRUTALITY SETTLEMENTS FOR FURTHER CLARIFICATION PASSED UNANIMOUSLY.**

81-20 Appointment of Charles Griggs (D) to the Ethics Commission.

Ms. Vickers said that Mr. Griggs has been approved by the Ethics Commission and the background check was completed.

Council Member Burns noted that Mr. Griggs was a personal friend and a neighbor.

Mr. Griggs said that Mr. Roach had approached him about serving on the Commission and Mr. Griggs said that he would do his best to serve the City in this role.

Council Member Burns asked Mr. Griggs if he anticipated any conflicts of interest. Mr. Griggs said that he would recuse himself from any issue and follow the appropriate manner for handling the matter.

Council Member Taylor-Moye asked Mr. Griggs if he was informed about the responsibilities of the role. Mr. Griggs said that he had read the information on the website and spoken with Ms. Vickers about this. He was comfortable with the information that was provided to him.

Council Member Burns said that Mr. Griggs was thoughtful and deliberate. He approaches matters with a balanced point of view.

Council Member McCarthy said that Mr. Griggs had reached out to him about another matter and Council Member McCarthy was impressed with him. While Council Member McCarthy has only known him a short time, he felt Mr. Griggs had strong ethics.

**** COUNCIL MEMBER MCCARTHY MOVED TO APPROVE AGENDA ITEM 81-20 APPOINTMENT OF CHARLES GRIGGS (D) TO THE ETHICS COMMISSION.
** COUNCIL MEMBER TAYLOR-MOYE SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

EXECUTIVE SESSION

78-20 Proposed Settlement of Pending Litigation with Louis Cafora, Administrator of the Estate of Frederick Cafora.

Atty. Ouellette said that this was a case where a police cruiser rear ended a vehicle, which in turn pushed the vehicle into the plaintiff's vehicle. The plaintiff suffered injuries.

**** COUNCIL MEMBER BRANTLEY MOVED TO ENTER EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION.
** COUNCIL MEMBER TAYLOR-MOYE SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The Committee and Atty. Ouellette entered into Executive Session at 7:22 p.m. to discuss pending litigation. They returned to Public Session at 7:36 p.m. No actions or votes were taken during Executive Session.

**** COUNCIL MEMBER BRANTLEY MOVED TO APPROVE AGENDA ITEM 78-20 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH LOUIS CAFORA, ADMINISTRATOR OF THE ESTATE OF FREDERICK CAFORA.
** COUNCIL MEMBER MCCARTHY SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

48-20 Proposed Settlement of Pending Litigation with Marcus Stewart, et al.

70-20 Proposed Settlement of Pending Litigation with Klyde Jacques.

- ** COUNCIL MEMBER BRANTLEY MOVED TO ENTER EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION.**
- ** COUNCIL MEMBER TAYLOR-MOYE SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The Committee and Atty. Kascak entered into Executive Session at 7:40 p.m. to discuss pending litigation. They returned to Public Session at 7:55 p.m. No actions or votes were taken during Executive Session.

- ** COUNCIL MEMBER BRANTLEY MOVED TO AMEND AGENDA ITEM 48-20 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH MARCUS STEWART, ET AL. BY SUBSTITUTING THE NAME OF LUIS MUNEZ IN PLACE OF MARCUS STEWART.**
- ** COUNCIL MEMBER TAYLOR-MOYE SECONDED.**
- ** THE MOTION TO AMEND PASSED UNANIMOUSLY.**

- ** COUNCIL MEMBER TAYLOR-MOYE MOVED TO APPROVE AGENDA ITEM 48-20 AS AMENDED.**
- ** COUNCIL MEMBER BRANTLEY SECONDED.**
- ** THE MOTION TO APPROVE AGENDA ITEM 48-20 AS AMENDED PASSED UNANIMOUSLY.**

- ** COUNCIL MEMBER MCCARTHY MOVED TO APPROVE AGENDA ITEM 70-20 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH KLYDE JACQUES.**
- ** COUNCIL MEMBER BRANTLEY SECONDED.**
- ** THE MOTION TO APPROVE AGENDA ITEM 70-20 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH KLYDE JACQUES PASSED UNANIMOUSLY.**

ADJOURNMENT

- ** COUNCIL MEMBER BRANTLEY MOVED TO ADJOURN.**

Council Member Herron stated that she had joined the meeting at 6:04 p.m.

- ** COUNCIL MEMBER SULIMAN SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Telesco Secretarial Services