

**CITY COUNCIL  
SPECIAL MEETING  
MONDAY, APRIL 11, 2018  
City Council Chambers, City Hall  
45 Lyon Terrace  
Bridgeport, CT**

Council President Nieves called the Council Special Meeting to order at 8:40 p.m.

**ROLL CALL**

The Assistant City Clerk, Frances Ortiz called the roll.

130<sup>th</sup> District: Pete Spain  
131<sup>st</sup> District: Denese Taylor-Moye, Jack Banta  
132<sup>nd</sup> District: Marcus Brown, Kyle Langan  
133<sup>rd</sup> District: Jeanette Herron, Thomas McCarthy  
134<sup>th</sup> District: Michelle Lyons, AmyMarie Vizzo-Paniccia  
135<sup>th</sup> District: Mary McBride-Lee, Rosalina Roman-Christy  
136<sup>th</sup> District: Alfredo Castillo,  
137<sup>th</sup> District: Aidee Nieves, Maria Valle  
138<sup>th</sup> District: Karen Jackson, Nessah Smith  
139<sup>th</sup> District: Ernest Newton, Eneida Martinez

The Assistant City Clerk announced that a quorum was present.

**PRAYER**

Council Member McBride-Lee was then asked to lead those present in prayer.

**PLEDGE OF ALLEGIANCE**

Council President Nieves asked Council Member Spain to lead those present in reciting the Pledge.

**ITEM FOR IMMEDIATE CONSIDERATION:**

**72-17 Resolution presented by Council Member(s) Martinez & Co-Sponsor(s): Brown, Langan, Newton, Spain & Herron re: Proposed resolution regarding 180 Day Moratorium on WPCA Foreclosures, FOR IMMEDIATE CONSIDERATION.**

**\*\* COUNCIL MEMBER MARTINEZ MOVED AGENDA ITEM 72-17 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) MARTINEZ & CO-SPONSOR(S): BROWN, LANGAN, NEWTON, SPAIN & HERRON RE: PROPOSED RESOLUTION REGARDING 180 DAY MORATORIUM ON WPCA FORECLOSURES, FOR IMMEDIATE CONSIDERATION.**

**\*\* COUNCIL MEMBER NEWTON SECONDED.**

Council Member Martinez said that Council Member Zambrano Viggiano was not able to attend the meeting due to a prior commitment. She submitted a question asking what the budgetary implications would be. Council Member Martinez then stated for the record:

“What is the potential shortfall that the city might face due to the hundred and 80 day moratorium versus a 30 or 90 day moratorium or even no moratorium at all? She would like to see the rest of the projections after the council takes action because she could not be present today. I wanted to set it out ahead of time so that you can address it with the council members before the meeting.”

Council Member Martinez stated for the record that she had done the research on the WPCA budget and the answer to the question was that an analysis of the issue indicated that there was a two prong approach necessary.

First a look at the Connecticut General statutes section 7–245 through section 7–273(a) addresses the sewer system. This statute enables the city council to create the water pollution control Authority in the first place. remember that a municipality only has the power that the state legislation gives it. Section 7–246 (a) states in the relevant part:

“Any municipality may, by ordinance, designate its legislative body, except where the legislative body is the town meeting, or any existing board or commission, or create a new board or commission to be designated, as the water pollution control authority for such municipality.”

Sec. 7-267, which is a part of the Connecticut General Statutes Sewage System states Use of funds, and states the following:

“All benefit assessments and charges for connection with or use of the sewerage system, whether pledged for payment of bonds or notes or otherwise, shall be kept separate from other funds of the municipality and shall be used for the sewerage system, including the payment of debt incurred for the sewerage system and interest thereon, and for no other purpose.”

The second approach involves an examination of the Code of Ordinance of the City. Please note that Chapter 13.04 of the Code of Ordinance is entitled “Utilities” and contains Section 13. 04.010 thru Section 13.04.620. This is the chapter of the Code of Ordinance that the Ordinance Committee has examined. This chapter of the Code has the relevant issues of the budget of the WPCA.

So, that basically answers the question that she – you know -- that she asked and the other one on of the establishment of the WPCA operation fund is in Section 13.04.180 states:

“There is established a WPCA operating fund. This fund will be used to account for the operation, maintenance, administration and repair/replacement costs of the sewage system. Operating fund revenues shall be derived from user charges based upon a proportionate sharing of sewage system operation, maintenance, administration and repair/replacement costs among all system users, as well as incidental revenues.”

So basically there is no effect to the budget, which basically was the answer to her question.

Council President Nieves stated the following for the record: "We are voting on the Proposed resolution regarding 180 Day Moratorium on WPCA Foreclosures."

**\*\* THE MOTION PASSED WITH SEVENTEEN (17) IN FAVOR (SPAIN, BANTA, TAYLOR-MOYE, BROWN, LANGAN, MCCARTHY, HERRON, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN CHRISTY, CASTILLO, NIEVES, VALLE, JACKSON, N. SMITH, MARTINEZ AND NEWTON) AND ONE OPPOSED (LYONS).**

Council Member Martinez requested a point of personal privilege. She said that she wanted to state for the record that the Council had just voted on Agenda Item 72-17, but that she had a list of items that the Committee would be holding the City Attorney's office accountable for during the 180 days moratorium. This was a question that Council Member Taylor-Moye had asked about.

The Ordinance Committee was making three amendments to the Code of Ordinances to address this, so they were going to instruct the City Attorney's Office to:

- implement a payment plan to pay arrearages;
- authorize the City Attorney's Office to begin foreclosure action in court only when the amount due, including accrued interest is over \$4,000; and
- limit the use of outside counsel by requiring that all attempts to collect unpaid sewer fees, including the foreclosure of WPCA liens, be instituted by the City Attorney's Office. If the City Attorney's Office should decide to use outside legal counsel, the City Attorney shall follow the Charter that requires a written statement be issued setting forth the basis for the conflict of interest that requires the use of outside counsel.

Council Member Martinez said that the Ordinance Committee had requested this already be started so that the Committee can start work with all the information ready.

#### ADJOURNMENT

**\*\* COUNCIL MEMBER BROWN MOVED TO ADJOURN.**

**\*\* COUNCIL MEMBER NEWTON SECONDED.**

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

The meeting adjourned 8:50 p.m.

Respectfully submitted,

S. L. Soltes  
Telesco Secretarial Service

City of Bridgeport  
City Council  
Special Meeting  
April 11, 2018