

**CITY OF BRIDGEPORT  
CITY COUNCIL  
PUBLIC SPEAKING SESSION  
MONDAY, DECEMBER 16, 2013  
6:30 PM**

**ATTENDANCE:** Council members: Torres, Banta, Taylor-Moye, Halstead, Swain, T. McCarthy, Lyons, McBride-Lee, Salter, DeJesus, Castillo, Martinez, Feliciano, Paoletto, Martinez-Walker

**ABSENT:** Council members: Brannelly, Austin, Vizzo-Paniccia, Marella, \*Holloway

\*= arrived at 6:50 pm

Council President McCarthy called the public speaking session to order at 6:40 pm.

The city clerk took the roll call and announced there was a quorum.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, DECEMBER 16, 2013 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

❖ *Statements were submitted to the city clerk's office.*

**NAME**

**SUBJECT**

**Ethan Book**  
Coleman Street  
Bridgeport, CT 06604

Continuation of observed defects of the recent election process and "to do" list stemming from that process

I am Ethan Book, a recent candidate for this City Council to represent the important 131<sup>st</sup> District. I use the term "recent candidate" in a qualified manner as there are various issues of defects of the campaign and election process, some of which I described to you at the public comments portion of the December 2<sup>nd</sup> City Council meeting.

It was apparent that before you at the previous meeting, for the five-minute time limit, I was not able to present all my prepared comments. There was an important portion which I elect to provide to you now. It pertains to the lack of an articulated campaign platform which had been presented by the incumbent 131<sup>st</sup> District City Council members, Denese Taylor-Moye and Jack Banta.

RECEIVED  
CITY CLERK'S OFFICE  
2014 JAN - 8 A 10:11  
ATTEST  
CITY CLERK

About ten days prior to the November 5<sup>th</sup> election, as being two of five declared candidates for the City Council for the District, they were invited to participate in an e-mail forum arranged by a South End Community Group. There were various suggested categories of interest topics including matters of city finances, taxes, education, the Broad Street Housing Project, crime and others. It is curious that only *David Goodman, my running mate, and I participated in that forum*. Prior to election day, I neither saw nor heard *anything* regarding a campaign platform for Ms. Moye or Mr. Banta. Then on election day, I observed being distributed at the voting locations this campaign flyer (copy attached to the written text of these comments). Regardless of the merits of this platform which can be discussed further, it is significant that for not being available prior to election day, there was *no* opportunity either for other candidates or the public for review, research discussion or rebuttal. *In other words, the two incumbents campaigned pursuant to a hidden agenda. This is horrific, it shocks the conscience and it denigrates the integrity of the election process.* This is at least an ethical issue which for the election matters to which I have referred, there are both issues of *election-related disorder and campaign-related disorder*. For this, I refer to a 2005 federal court decision in ACORN v. Bysiewicz. The decision affirms that there is a [p]ublic interest in 'protecting against [election related and campaign related disorder and concomitant vulnerability to impropriety]".

With respect to these raised and yet unanswered and unaddressed matters and implications for Ms. Denese Taylor-Moye and Mr. Jack Banta, I quote President George H.W. Bush, "Read my lips". I will be watching you!

Finally, regarding the local economy, there is a matter of much local and state interest which I believe should be equally supported by all local major and minor political parties, that being the issue of what inventor accomplished the first sustained airplane flight. On December 3<sup>rd</sup>, I had the opportunity to attend the annual banquet of the Bridgeport Regional Business Council which featured a presentation by historian John Brown. Mr. Brown made a very credible, fact-filled presentation that the first sustained airplane flight was accomplished, not by the Wright brothers in North Carolina in 1903, but rather by Gustave Whitehead in Bridgeport in 1901. This issue of historical correctness is gaining attention including with a recent article in Time magazine. *The nationally-recognized correction of the historical record would be a good economic impetus for the City of Bridgeport, the Bridgeport area and the State of Connecticut.*

Thank you!

Ethan Book

Attachments submitted to city clerk's office (4)

**Cecil C. Young**  
99 Carroll Avenue  
Bridgeport, CT 06607

W.P.C.A. foreclosing on city residents

Mr. Young spoke about his concerns of city foreclosures on the homes of people that owe a water pollution bill. He said that he thought consideration should be given to people, as it is for people who own certain types of businesses that may be exempt.

He went on to recall the matter of his unjust termination after twenty-seven years of working for the city and the denial of his benefits. He recalled that at the time of his termination, it was stated that he wasn't at work when he should have been; but he disputed that claim to clarify that he was at work on the day he was terminated. Furthermore, he thought that Council President McCarthy should remove himself as council president, since he was associated with the sheriff's department at the time of his termination. He emphasized that as a minority, he felt he was unable to get justice and that his rights were being violated. He commented that he was very angry that he hasn't been able to get any justice regarding the matter, noting that it's a matter of right and wrong and he was critical of those involved with the situation, because they have chosen to ignore the matter.

**Clyde Nicholson** – *signed up prior to the beginning of the Public Speaking Session*  
54 Wallace Street  
Bridgeport, CT

Mr. Nicholson recalled that he was present in Council Chambers a month ago to attend a Planning & Zoning Commission meeting. He said that he heard a proposal to put the new Harding High School on the old GE site. He emphasized that he was here tonight to say that in his opinion, the entire property is contaminated with iron, lead and oil that has seeped into the soil. He recalled the Raybestos site that took fifteen years to clean up due to contamination. He expressed that a proposal to put students on a contaminated site would be unheard of in other towns. He commented that it will be impossible to clean up the amount of contamination on the site and it would be very costly to do. He emphasized that the building on site would pose a health risk to the students and he thought there was an insensitivity to building on the site because there is a perception that the kids at Harding are primarily poor, but that shouldn't matter. He stated that the residents need to hear from each member on the city council to find out how they will vote on this issue. He further noted that he also planned to go before the Board of Education about the issue. He requested that the city council look further into the matter.

**Carolyn Nah** – *signed up prior to the beginning of the Public Speaking Session*  
44 Lewis Street  
Bridgeport, CT

Ms. Nah spoke about the situation at Harding High School. She stated that she was present to try the city council's conscience. She emphasized that the site is too contaminated to even think about building on the property, noting that behind GE there is a contaminated

City of Bridgeport  
City Council Meeting  
December 16, 2013  
Page 3 of 9

body of water. She commented that this will affect not only the students, but the teachers as well. She urged the council to do their research before voting on the project, because she felt they would be signing a death warrant if the school is built on the site. She further expressed that she wouldn't be able to sleep if she knew there were children being exposed to toxic conditions. She stressed that the city council needs to take black people seriously and she was adamant that this matter shouldn't even be a question or discussion. She clarified that the matter wasn't about the good of the children, but it was really about dollars and cents.

**John Marshall Lee**  
30 Beacon Street  
Bridgeport, CT 06605

Budgets and oversight

Comments to the City Council Monday 12-16-13

Ladies and gentlemen of the City Council and Bridgeport neighbors in the audience we can see the days grow shorter, and the weather becomes colder, so let me wish you Season's Greetings at this last City Council meeting of 2013.

For many of us the upcoming two weeks include celebrations and holidays that feature opportunities for gifting. That is the subject that I would ask you about this evening. Last Monday evening, a dozen members of this Council were present to hear the City administration tackle a subject they called Budget 101. Two new members asked questions. Other new and old members listened to answers. I hope that each of you keep asking questions and repeating them if you do not get full answers, ones that make sense to you. It is the best way to represent your fellow taxpayers. I have tried to be a "necessary watchdog" where oversight or monitoring is not obvious. Some call me "aggressive" for this questioning. I will admit to being "confrontational". Let me give you an example this evening.

This is the season for personal giving to family and loved ones, as well as attention to those in particular need, and giving for the benefit of favorite charities where a tax deduction can be earned for this current tax year if a gift is completed before 12-31-13.

Each City Council member has use of 1/20<sup>th</sup> of the \$180,000 budgeted each year for stipends. This is money intended to assist you in the performance of your duties. A new system was adopted over the past year that uses a debit card. I presented an FOI request on paperwork dealing with the stipend change of administration that the City Attorney office tells is not fully found at this time, nearly six months after my original request.

That is not the problem I raise tonight, although I and many others think that you should reveal your use of taxpayer funds by making a publicly available listing in a monthly record of reimbursements. That is not done today and is neither open, accountable nor transparent behavior. New members need to question why they go along with a secret system that bothers taxpayers while spending tax funds.

The specific issue I raise for your action is based on a story that I have heard recently, The debit card can pay for many types of expenses supporting your duties. In the past however, more than one Council person provided funds to individuals and or organizations of a "charitable and worthy nature" covered by stipend. The debit card system may not lend itself to that type of City payment.

I looked at your legislative budget. It is not large, and in the June DRAFT report for 2013, line item #56180 showed \$5,722 total for Other Expenses, an account you budgeted at \$93,500 annually but rarely is used for a fraction of that. The July, 2013 monthly report issued October 11, 2013 presumably after close of year adjustments showed the actual unaudited 2013 sum for the same amount as \$31,622. That is a significant difference. Where was almost \$26,000 of Legislative funds transferred? Was it to cover charitable contributions by Council? where was the City Council vote on this matter? Who signs off on such items? Institutions are judged on how they handle small matters as well as large issues. It is not only about \$400,000 gravel driveways or eliminating \$4 Million of "ghost positions" last year but still spending the money. Where is it accounted for? More than two dozen taxpayers whom I have spoken within the past week believe that funds to charity should be personal only, not for the City Council to give away. They also believe that your reimbursement amounts should be public and regular. What say you?

This would require some discussion and action by your group. Stop the rumors about stipends. Go public. Several Council members, still sitting here, in recent years have received more than \$9,000 in annual reimbursement. That is prohibited. Perhaps these were repaid in a subsequent year? How would the public know? What about the Council person who stepped down with \$2,000 overage? Was this City money recovered?

This is a season of giving and celebration. Is it appropriate for you to become public about the details of your stipends? Will you do it this year? Will you decide to follow the Charter and Ordinance language in multiple areas for the benefit of taxpayers? Time will tell.

John Marshall Lee

The public speaking session ended at 7:05 pm.

**CITY OF BRIDGEPORT**

**CITY COUNCIL MEETING**

**MONDAY, DECEMBER 16, 2013**

**7:00 PM**

**City Council Chambers, City Hall - 45 Lyon Terrace**

**Bridgeport, Connecticut**

**ATTENDANCE:** Council members: Torres, Banta, Taylor-Moye, Halstead Swain, T. McCarthy, Lyons, McBride-Lee, Salter, DeJesus, Castillo, Martinez, Feliciano, Marella, Paoletto, Martinez-Walker, Holloway

**ABSENT:** Council members: Brannelly, Austin, Vizzo-Paniccia

Mayor Finch called the meeting to order at 7:06 pm.

Prayer - Council member Lyons offered the prayer.

Pledge of Allegiance - Council member Halstead led the pledge of allegiance.

Roll Call - the city clerk took the roll call and announced there was a quorum.

Mayoral Proclamation: Honoring the memory of Jessie Askew, and avid Bridgeport Bluefish fan who was an inspiration to the church, community young and old alike.

City Council Citation: Honoring the memory of Jessie Askew, an avid Bridgeport Bluefish fan who was an inspiration to the church, community, young and old alike.

Mayor Finch acknowledged Jessie Askew for his support of the Hometown team. He asked members of the district to join him in front of council chambers. Mr. Askew's family and friends also came forward.

Council President McCarthy expressed that the city council always tries to recognize a person(s) that have done good things in Bridgeport. He recognized Council member Jack Banta to speak.

Council member Banta expressed that the next time they come across a war veteran, they shouldn't wait to acknowledge their contribution. He went on to acknowledge Mr. Askew who passed away but was known and well received as a WWII veteran in the U.S. Army. He recalled this was at a time when the army was segregated and unequal. He expressed that where there should have been bitterness among the black soldiers, they weren't bitter and they came back to work hard and raise families. He further expressed that Mr. Askew was an avid baseball fan and he was always first to get season tickets.

Council member Taylor-Moye stated that she found out through Mr. Askew's neighbors that he was warm and caring. She shared how his neighbors took care of him when his wife passed away and she acknowledged his aunt Ms. Pettway and his neighbors that were present to receive the citation. She further expressed that it's good to show a community that it's a great thing to look out for others.

Mayor Finch expressed to Ms. Pettway and Jessie Askew's friends that he knew Jessie. He recalled a community organizer event where Jessie was the first to sign a petition for a cause that was of concern to him. He expressed that although he would have liked Jessie to be here tonight to accept the citation, he felt that he was looking down.

*Mayor Finch read the proclamation.*

A representative from the Bluefish expressed his sentiments about Jessie Askew as a valued and respected season ticket holder at the Bluefish games. He thanked him for his support and for being an inspiration, sincerely expressing that the Bluefish family missed him.

Council member Banta presented the citation plaque to Ms. Pettway and the family members present. A family member thanked Mayor Finch and the council members for the citation. He expressed that Jessie was a great guy, noting that although he lived in a big house by himself, he always made it a point to remember others by acknowledging their birthday. He further expressed that he was a true soldier to the end, even when he was faced with hardship. He thanked everyone for the citation.

#### **MINUTES FOR APPROVAL:**

Approval of City Council Minutes: November 4, 2013

*Council President McCarthy reminded the council members that only those that were present at the November 4 meeting from the prior city council could vote on the minutes.*

**\*\* COUNCIL MEMBER McCARTHY MOVED TO ACCEPT THE MINUTES**  
**\*\* COUNCIL MEMBER LYONS SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

**COMMUNICATIONS TO BE REFERRED TO COMMITTEES:**

- 05-13** Communication from City Clerk re: Certification of Oath of Office for City Council Members, **ACCEPTED AND MADE PART OF THE RECORD**
- 06-13** Communication from City Attorney re: Proposed Settlement of Pending Litigation with Joseph Diaz, referred to Miscellaneous Matters Committee.
- 07-13** Communication from City Attorney re: Twenty Day Notice to Settle Pending Litigation Pursuant to Municipal Code Section 2.10.130 Bao Chau, et al, **ACCEPTED AND MADE PART OF THE RECORD**
- 08-13** Communication from City Attorney re: Twenty Day Notice to Settle Pending Litigation Pursuant to Municipal Code Section 2.10.130 Bao Chau, et al, **ACCEPTED AND MADE PART OF THE RECORD**
- 09-13** Communication from OPED re: Proposed Resolution concerning the Disposition and Redevelopment of City-Owned Property located at 1752 Barnum Avenue and Request to Order a Public Hearing Relative to the Same, referred to Economic and Community Development and Environment Committee.
- 10-13** Communication from OPED re: Proposed Resolution concerning the Disposition and Redevelopment of City-Owned Property located at 431-435 & 445-449 Kossuth Street and Request to Order a Public Hearing Relative to the Same, referred to Economic and Community Development and Environment Committee.
- 11-13** Communication from Central Grants and Community Development re: Grant Submission: State of Connecticut Department of Energy and Environmental Protection (DEEP) Microgrid Design and Installation Grant for Critical Facilities, referred to Economic and Community Development and Environment Committee.
- 12-13** Communication from Housing and Community Development re: Proposed Resolution Approving the 2014-2016 Bridgeport Citizen's Union Committee, referred to Miscellaneous Matters Committee.

**MATTERS TO BE ACTED UPON (CONSENT CALENDAR):**

- \*04-13** Contracts Committee Report re: Greater Bridgeport Regional Solid Waste Interlocal Agreement.

- \*\* COUNCIL MEMBER PAOLETTO MOVED TO REFER COMMUNICATIONS TO BE REFERRED TO COMMITTEES**
- \*\* COUNCIL MEMBER LYONS SECONDED**

Council member Torres referred to item 09-13 to ask if the council rules outlined in Section-30 in relation to the item regarding tax assessment, would be taken up during the committee meeting. Mayor Finch responded yes.

**MATTERS TO BE ACTED UPON (CONSENT CALENDAR):**

- \*04-13**      Contracts Committee Report re: Greater Bridgeport Regional Solid Waste Interlocal Agreement.

- \*\* COUNCIL MEMBER DEJESUS MOVED TO TABLE**
- \*\* COUNCIL MEMBER PAOLETTO SECONDED**
- \*\* MOTION PASSED WITH SIXTEEN VOTES IN FAVOR AND ONE VOTE IN OPPOSITION (COUNCIL MEMBER TORRES)**

**ADJOURNMENT**

- \*\* COUNCIL PRESIDENT PAOLETTO MOVED TO ADJOURN**
- \*\* COUNCIL PRESIDENT MARELLA SECONDED**
- \*\* MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:30 pm.

Respectfully submitted,

Diane Graham  
Telesco Secretarial Services

AGENDA

CITY COUNCIL MEETING

MONDAY, DECEMBER 16, 2013

7:00 P.M.

CITY COUNCIL CHAMBERS, CITY HALL - 45 LYON TERRACE  
BRIDGEPORT, CONNECTICUT

Prayer

Pledge of Allegiance

Roll Call

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**COMMUNICATIONS TO BE REFERRED TO COMMITTEES CONTINUED:**

- 11-13** Communication from Central Grants and Community Development re: Grant Submission: State of Connecticut Department of Energy and Environmental Protection (DEEP) Microgrid Design and Installation Grant for Critical Facilities, referred to Economic and Community Development and Environment Committee.
- 12-13** Communication from Housing and Community Development re: Proposed Resolution Approving the 2014-2016 Bridgeport Citizen's Union Committee, referred to Miscellaneous Matters Committee.

**MATTERS TO BE ACTED UPON (CONSENT CALENDAR):**

- \*04-13** Contracts Committee Report re: Greater Bridgeport Regional Solid Waste Interlocal Agreement.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, DECEMBER 16, 2013 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

<b>NAME</b>	<b>SUBJECT</b>
Ethan Book 144 Coleman Street Bridgeport, CT 06604	Continuation of observed defects of the recent election process and a "to do" list stemming from that process.
Cecil C. Young 99 Carroll Avenue Bridgeport, CT 06607	W.P.C.A. foreclosing on city residents homes.
John Marshall Lee 30 Beacon Street Bridgeport, CT 06605	Budgets and oversight.



City of Bridgeport, Connecticut  
**OFFICE OF THE CITY CLERK**  
**LEGISLATIVE DEPARTMENT**

45 Lyon Terrace • Bridgeport, Connecticut 06604 • Telephone (203) 576-7081 • Fax (203) 332-5608

FLEETA C. HUDSON  
City Clerk

FRANCES ORTIZ  
Assistant City Clerk

Comm. 05-13 Accepted and Made Part of the Record.

December 3, 2013

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**CERTIFICATION**

---

I hereby certify that the following were duly elected City Council Members of the City of Bridgeport at the election held on November 5, 2013, and that they have taken the Oath of Office prescribed by the Charter of the City of Bridgeport to wit:

**130<sup>th</sup> District**

Susan T. Brannelly (D)  
Rick Torres (R)

**135<sup>th</sup> District**

Mary A. McBride-Lee (D)  
Richard D. Salter, Sr. (D)

**131<sup>st</sup> District**

Jack O. Banta (D)  
Denese Taylor-Moye (D)

**136<sup>th</sup> District**

Richard DeJesus (D)  
Alfredo Castillo (D)

**132<sup>nd</sup> District**

Robert E. Halstead (D)  
Patricia Swain (D)

**137<sup>th</sup> District**

Lydia N. Martinez (D)  
Milta I. Feliciano (D)

**133<sup>rd</sup> District**

Howard Austin, Sr. (D)  
Thomas C. McCarthy (D)

**138<sup>th</sup> District**

Richard M. Paoletto, Jr. (D)  
Michael Marella, Jr. (D)

**134<sup>th</sup> District**

Michelle A. Lyons (D)  
AmyMarie Vizzo-Paniccia (D)

**139<sup>th</sup> District**

Eneida Martinez-Walker (D)  
James Holloway (D)

Attest:

Fleeta C. Hudson  
City Clerk

CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY

CITY ATTORNEY  
Mark T. Anastasi

999 Broad Street  
Bridgeport, Connecticut 06604-4328

DEPUTY CITY ATTORNEY  
Arthur C Laske, III

ASSISTANT CITY ATTORNEYS  
Salvatore C. DePiano  
R. Christopher Meyer  
Edmund F. Schmidt  
Eroll V. Skyers



ASSOCIATE CITY ATTORNEYS

Gregory M. Conte  
Betsy A. Edwards  
Richard G. Kascak, Jr.  
Russell D. Liskov  
John R. Mitola  
Ronald J. Pacacha  
Lisa R. Trachtenburg

COMM. #06-13 Referred to Miscellaneous Matters Committee  
on 12/16/2013

Telephone (203) 576-7647  
Facsimile (203) 576-8252

December 2, 2013

The Honorable City Council  
City of Bridgeport  
45 Lyon Terrace  
Bridgeport, CT 06604

RECEIVED  
CITY CLERK'S OFFICE  
2013 DEC -4 A 10:33  
ATTEST  
CITY CLERK

Re: Settlement of Lawsuit

Dear Honorable Members:

A Lawsuit in the following name was filed against the City of Bridgeport and/or its employees and investigation discloses the likelihood on the part of the City for which in the event of trial, the City might be held liable.

Negotiations with the Plaintiffs' attorney have made it possible to settle this matter for the monetary sum set forth below and I therefore recommend settlement in that amount be approved and accepted.

<u>PLAINTIFF</u>	<u>ATTORNEY</u>	<u>CAUSE/INJURY</u>	<u>SETTLEMENT AMOUNT</u>
Joseph Diaz	Laura M. Mooney, Esq. Morrissey, Morrissey & Mooney Thomas Neary Building 203 Church Street, P.O. Box 31 Naugatuck, CT 06770	Dog Bite	\$60,000

Very truly yours,

Mark T. Anastasi  
City Attorney

MTA/kl

CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY

999 Broad Street  
Bridgeport, Connecticut 06604-4328

CITY ATTORNEY  
Mark T. Anastasi

DEPUTY CITY ATTORNEY  
Arthur C Laske, III

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ASSISTANT CITY ATTORNEYS

Salvatore C. DePiano  
R. Christopher Meyer  
Edmund F. Schmidt  
Eroll V. Skyers

Telephone (203) 576-7647  
Facsimile (203) 576- 8252

December 4, 2013

**Comm. #07-13 ACCEPTED AND MADE PART OF THE RECORD  
On 12/16/2013**

The Honorable City Council  
City of Bridgeport  
45 Lyon Terrace  
Bridgeport, CT 06604

Re: **SETTLEMENT OF CLAIM  
BAO CHAU, ET AL v. CHARLES JOHNSON, ET AL**

Dear Honorable Members:

The Office of the City Attorney proposes to settle the above referenced litigation in the amount of \$19,500.00 payable to Miller, Rosnick, D'Amico, August & Butler, P.C. Trustee for Hue Phan. The action was claiming personal injuries to Phan when, on March 3, 2012, she was a passenger in a vehicle that was rear ended by a police vehicle driven by Officer Charles Johnson. She alleges the City of Bridgeport, Bridgeport Police Department, and Officer Charles Johnson were negligent, in that Officer Johnson was following too closely, failed to issue a warning, failed to act as a responsible prudent person. As a result of the negligence, she sustained injuries to her knees, neck, back, and a general shock to her nervous system, as well as loss of earnings.

Pursuant to the City Council's amended Ordinance Section 2.10.130, this office hereby provides notice of its intent to settle this matter in accordance with the terms set forth in said Section 2.10.130.

If you wish to discuss the details of this case or have any questions, please feel free to contact me. If I am not immediately available, please speak with my paralegal, Shakira Simpson, who will then follow-up with me. Further, if I do not hear from you within the twenty (20) day time period provided by the Ordinance, I will proceed to finalize settlement of this matter.

Very truly yours,

Mark T. Anastasi  
City Attorney  
MTA/ss

CITY ATTORNEY  
Mark T. Anastasi

DEPUTY CITY ATTORNEY  
Arthur C Laske, III

ASSOCIATE CITY ATTORNEYS  
Gregory M. Conte  
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John R. Mitola  
Ronald J. Pacacha  
Lisa R. Trachtenburg

CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY

999 Broad Street  
Bridgeport, Connecticut 06604-4328



ASSISTANT CITY ATTORNEYS  
Salvatore C. DePiano  
R. Christopher Meyer  
Edmund F. Schmidt  
Eroll V. Skyers

Telephone (203) 576-7647  
Facsimile (203) 576- 8252

December 4, 2013

**Comm. #08-13 ACCEPTED AND MADE PART OF THE RECORD  
On 12/16/2013**

The Honorable City Council  
City of Bridgeport  
45 Lyon Terrace  
Bridgeport, CT 06604

Re: **SETTLEMENT OF CLAIM  
BAO CHAU, ET AL v. CHARLES JOHNSON, ET AL**

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Very truly yours,

Mark T. Anastasi  
City Attorney  
MTA/ss



City of Bridgeport, Connecticut  
**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT**  
**MARGARET E. MORTON GOVERNMENT CENTER**  
999 BROAD STREET  
BRIDGEPORT, CONNECTICUT 06604  
TELEPHONE: (203) 576-7221  
FAX: (203) 332-5611

BILL FINCH  
Mayor

DAVID M. KOORIS  
Director

City Clerk  
45 Lyons Terrace  
Bridgeport, CT 06605

**COMM. #09-13 Referred to ECD&E Committee on 12/16/2013**

December 10, 2013

**Re: A Resolution Concerning Disposition of City Owned Property. Ordering a Public Hearing Relative to the Same**

Dear City Clerk:

Please find attached for your review and consideration a resolution authoring the Director of the Office of Planning and Economic Development to negotiate agreement related to the disposition and redevelopment of this property generally on conformance with the attached Resolution. The Planning & Zoning Commission gave its approval for such disposition at its meeting; The City Hall Committee gave its approval.

**Disposition of City-Owned Parcels**

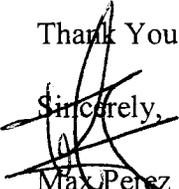
NUMBER	ADDRESS	HOUSE TYPE	Block/Lot	Recommendation
1752	Barnum Avenue	Lot	1834-46	Sell

Attached, please find individual parcel locator maps and parcel data sheets for all of these disposition parcels, and a resolution to effectuate the sale that requires Council approval.

Since there is a requirement that a Public Hearing be conducted by the Legislative body of the City of Bridgeport prior to any vote to approve or disapprove the sale, disposition or transfer of real property owned by the municipality; and since the City Clerk shall cause notice of such public hearing to be published in a newspaper of general circulation, and order the posting of the property in conformance with the City Ordinance and State Statute, I have attached a Resolution for your referral.

Thank You.

Sincerely,

  
Max Perez

Senior Economic Development Associate

CC: Mayor Finch  
Andrew Nunn, CAO  
David Korris, Director OPED  
Atty. R. Liskov, City Attorney

**A RESOLUTION BY THE BRIDGEPORT CITY COUNCIL  
REGARDING THE DISPOSITION AND REDEVELOPMENT OF  
1752 Barnum Avenue**

**WHEREAS**, Roy and Wayne Brolser aka Barnum Hardware Inc, (the "Developer") a successful private Hardware and Equipment store since 1933 and one of Connecticut's oldest and most complete hardware and supply centers, is the owner of land and buildings located at 1774-1784 Barnum Avenue; and

**WHEREAS**, the Developer is in need of a site to provide the requirement for landscaping and parking for its approximately 10 employees; and

**WHEREAS**, the City of Bridgeport-owned property at 1752 Barnum Avenue (the "Site") is adjacent to the Developer's property at 1752 Barnum Avenue; and

**WHEREAS**, the Developer is willing to purchase the Site from the City of Bridgeport for \$25,000 (Twenty-five Thousand Dollars) and is further willing to remove all blight from the Site in order to, landscaping and create parking for its approximately 10 employees; and

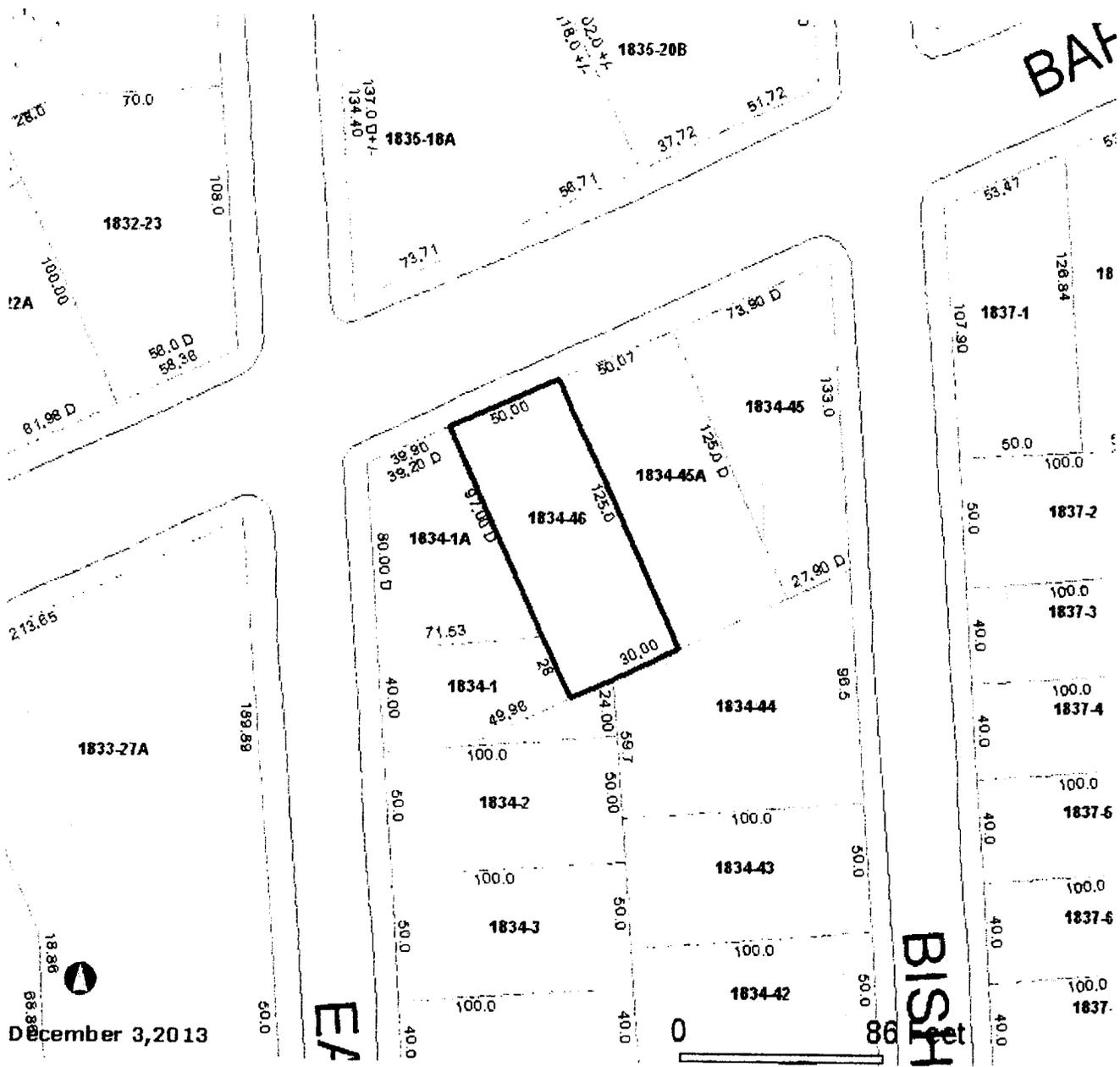
**WHEREAS**, the current use of the Site offers no significant economic benefit to the City of Bridgeport, and detracts from the attractiveness of the Barnum Avenue commercial corridor and the East End of Bridgeport as a whole; and

**WHEREAS**, it is in the best interest of the City to clean-up the blighted condition of the Site and to facilitate its redevelopment, especially if these actions can be achieved at the sole expense of a responsible private developer; and

**WHEREAS**, the Site was appraised for \$15,000.00 (Fifteen Thousand dollars); and

**WHEREAS**, the Developer seeks no warranties from the City regarding the environmental condition, physical condition or title on the Site;

**NOW THEREFORE**, be it resolved that the Bridgeport City Council authorizes the Director of the Office of Planning and Economic Development to do any and all things necessary to negotiate and execute with The Developer the sale and redevelopment of the Site in a manner consistent with this resolution.



3543 MAIN STREET  
BRIDGEPORT, CT 06606



TELEPHONE: 203.371.7007  
FACSIMILE: 203.371.6001

THE LAW OFFICE OF  
**JUDA J. EPSTEIN**

October 24, 2013

Russell Liskov, Esq.  
Associate City Attorney  
999 Broad Street  
Bridgeport, CT 06604

**VIA ELECTRONIC MAIL ONLY**

**LETTER OF INTENT**

**RE: LAND LOCATED AT 1752 BARNUM AVENUE,  
BRIDGEPORT, CT 06610  
("THE PROPERTY")**

Dear Attorney Liskov,

I represent Roy and Wayne Brolser. This Letter of Intent ("LOI"), summarizes the basic business terms and conditions upon which Roy Brolser and Wayne Brolser ("Purchasers") are willing to purchase the Property from The City of Bridgeport, ("the Owner") who is the owner of the Property with full legal authority to enter and consummate the Proposed Transaction and convey clear title to the Property.

This LOI is a non-binding letter of intent. This LOI shall not be deemed to create any rights in favor of, or impose any obligations upon, either party hereto and accordingly neither party shall have any obligation or liability whatsoever with respect to the Proposed Transaction unless and until a definitive Sale and Purchase Agreement ("the Agreement"), containing detailed terms, conditions and covenants satisfactory to both parties, has been executed and unconditionally delivered by Owner and Purchaser.

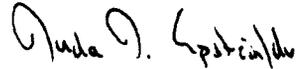
The basic terms and conditions of the proposed transaction are as follows:

1. **Property.** The property that is the subject of the Proposed Transactions consists of land of approximately Fifty (50) Feet wide and tapers to approximately Thirty (30) Feet wide. This property is located adjacent to 1788 Barnum Avenue, Bridgeport, Connecticut 06610, which is the current location of the Hardware Store owned by the Purchasers.
2. **Purchase Price.** \$25,000 – all cash.
3. **Inspection.** The Purchase of the Property shall be contingent upon an inspection entitling the land a clean environment.

4. **Intent.** The Purchase of the Property shall be contingent upon the permissible use of said property, within the bounds of zoning and other property restrictions, for the creation of a parking lot and contributing landscaping.
5. **Exclusive Period.** Owner agrees that it will not (and it will not permit its principals, agents, employees, or affiliates to) offer, solicit an offer, accept an offer or otherwise negotiate with any third party for the sale or lease of the Property during the period following the date herein and until the Closing. Owner will not post any "For Sale" sign on the Property during the Exclusive Period.

If the foregoing meets with Owner's approval, please have the Owner or its authorized representative or agent, sign and date a copy of this letter and return it to Purchaser.

Very Truly Yours,



Juda J. Epstein

Dated: 10/24/13

(dictated not read)  
JJE/dv

Agreed and Accepted:

By: \_\_\_\_\_  
Name:  
Company:  
Title:  
Date:



## SUMMARY APPRAISAL REPORT

OF THE REAL PROPERTY LOCATED AT

1752 BARNUM AVENUE  
BRIDGEPORT, CT 06610

for

JUDA J. EPSTEIN, ATTORNEY AT LAW  
3543 MAIN STREET - 2ND FLOOR  
BRIDGEPORT, CT  
06606

as of

AUGUST 16, 2010

by

SUSAN L. SHAPIRO  
3255 Fairfield Avenue  
Bridgeport, CT 06605

Bowley Moore Appraisal Centre, Inc.  
3255 Fairfield Avenue  
Bridgeport, CT 06605  
203-576-1115

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August 17, 2010

JUDA J. EPSTEIN, ATTORNEY AT LAW  
3543 MAIN STREET - 2ND FLOOR  
BRIDGEPORT, CT  
06606

Property - 1752 BARNUM AVENUE  
BRIDGEPORT, CT 06610  
Borrower - BENCHMARK MUNICIPAL TAX SERVICES, LTD vs LEOCADIA MOREL  
File No. - 10081110  
Case No. - CV-10-6007770-S

Dear Atty. Epstein:

In accordance with your request, I have prepared an appraisal of the real property located at 1752 BARNUM AVENUE, BRIDGEPORT, CT.

The purpose of the appraisal is to provide an opinion of the market value of the property described in the body of this report.

Enclosed, please find the Summary Report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of AUGUST 16, 2010 is :

\$15,000

The opinion of value expressed in this report is contingent upon the Limiting Conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

Respectfully submitted,

Bowley Moore Appraisal Centre, Inc.



SUSAN L. SHAPIRO  
CT Certification #RCR.1456

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**SUMMARY REPORT**  
**LAND APPRAISAL REPORT**

CV-10-6007770-S  
File No. 10081110

Borrower: BENCHMARK MUNICIPAL TAX SERVICES, LTD vs LEOCADIA MOREL Census Tract 0743.00 Map Reference NECTA 71950  
 Property Address 1752 BARNUM AVENUE  
 City BRIDGEPORT County FAIRFIELD State CT Zip Code 06610  
 Legal Description VOLUME 7462 PAGE 150  
 Sale Price \$MKT Date of Sale N/A Loan Term X yrs. Property Rights Appraised  Fee  Leasehold  De Minimis PUD  
 Actual Real Estate Taxes \$2,811 (yr.) Loan charges to be paid by seller \$ \_\_\_\_\_ Other sales concessions NONE  
 Lender/Client JUDA J. EPSTEIN, ATTORNEY AT LAW Address 3543 MAIN STREET - 2ND FLOOR, BRIDGEPORT, CT, 06606  
 Occupant VACANT LAND Appraiser suc shapiro Instructions to Appraiser FAIR MARKET VALUE

**NEIGHBORHOOD**

Location  Urban  Suburban  Rural  
 Built Up  Over 75%  25% to 75%  Under 25%  
 Growth Rate  Fully Dev.  Rapid  Steady  Slow  
 Property Values  Increasing  Stable  Declining  
 Demand/Supply  Shortage  In Balance  Over Supply  
 Marketing Time  Under 3 Mos.  4-6 Mos.  Over 6 Mos.  
 Present Land Use \_\_\_\_\_ % 1 Family 50 % 2-4 Fam \_\_\_\_\_ % Apts. \_\_\_\_\_ % Condo 20 % Commercial  
5 % Industrial 10 % Vacant 15 %  
 Change in Present Land Use  Not Likely  Likely (\*)  Taking Place (\*)  
 (\*) From \_\_\_\_\_ To \_\_\_\_\_  
 Predominant Occupancy  Owner  Tenant 5 % Vacant  
 Single Family Price Range \$ 30,000 to \$ 125,000 Predominant Value \$ 40,000  
 Single Family Age 20 yrs. to 135 yrs. Predominant Age 110 yrs.

Employment Stability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Convenience to Employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Shopping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequacy of Public Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreational Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adequacy of Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Protection from Detrimental Conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police and Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Appearance of Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Appeal to Market	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, noise) THE SUBJECT IS ON A BUSY STREET IN A NEIGHBORHOOD OF SMALL BUSINESS'S AND CLOSE TO THE STRATFORD LINE AND BRIDGEPORT HOSPITAL. THERE ARE A NUMBER OF EMPTY LOTS CLOSEBY AND A COUPLE OF UNINHABITED BUILDINGS.

**SITE**

Dimensions SEE MAP = .14 ACRES  Corner Lot  
 Zoning Classification IL1/ LT INDUSTRIAL NO SIZE LIMIT. Present improvements  do  do not conform to zoning regulations  
 Highest and best use:  Present use  Other (specify) \_\_\_\_\_  
 Elec.  Public  Other (Describe) \_\_\_\_\_  
 Gas  \_\_\_\_\_  
 Water  \_\_\_\_\_  
 San Sewer  \_\_\_\_\_  
 Underground Elect. & Tel \_\_\_\_\_  
 OFF SITE IMPROVEMENTS  
 Street Access:  Public  Private  
 Surface GRASS/DIRT  
 Maintenance:  Public  Private  
 Storm Sewer  Curb/Gutter  
 Sidewalk  Street Lights  
 Topo LEVEL  
 Size TYPICAL  
 Shape RECTANGULAR  
 View RESIDENTIAL/COMMERCIAL  
 Drainage APPEARS ADEQUATE  
 Is the property located in a HUD Identified Special Flood Hazard Area?  No  Yes  
 Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions) SEE COMMENTS ON MARKETABILITY...THERE WERE NO ADVERSE EASEMENTS OR ENCROACHMENTS NOTED AT THE TIME OF MY INSPECTION WHICH WOULD NEGATIVELY AFFECT MARKET VALUE.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.

ITEM	Subject Property	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	1752 BARNUM AVENUE BRIDGEPORT	674 SHELTON STREET BRIDGEPORT	154 WEBSTER STREET BRIDGEPORT	510 SHELTON STREET BRIDGEPORT
Proximity to Subj.		1. Mi. West	1.1 Mi. SSW	1.2 Mi. West
Sales Price	\$ MARKET VAL	\$ 17,000	\$ 22,000	\$ 12,500
Price	\$	\$ 212,500	\$ 183,333	\$ 178,571
Data Source	CH/INSPECTION	VOLUME 8163 PAGE 258	VOLUME 8181 PAGE 067	VOLUME 8117 PAGE 255
Date of Sale and Time Adjustment	DESCRIPTION N/A	DESCRIPTION 01/20/2010 * (-) \$ Adjustment -1,007	DESCRIPTION 02/11/2010 * (-) \$ Adjustment -1,162	DESCRIPTION 11/02/2009 * (-) \$ Adjustment -1,033
Location	AVERAGE	AVERAGE	AVERAGE	AVERAGE
Site/View	LT INDUSTRIAL/RES	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL
Site Area	.14 ACRES	0.08 ACRES +2,000	0.12 ACES	0.07 ACRES +2,500
ZONE	IL1	RC	RC	ORN
	CONFORMING	NON-CONFORMING	NON-CONFORMING	NON-CONFORMING
	ZONING	ZONING	ZONING	ZONING
Sales or Financing Concessions				
Net Adj. (Total)		<input checked="" type="checkbox"/> Plus <input type="checkbox"/> Minus \$ 993	<input type="checkbox"/> Plus <input checked="" type="checkbox"/> Minus \$ -1,162	<input checked="" type="checkbox"/> Plus <input type="checkbox"/> Minus \$ 1,467
Indicated Value of Subject		Gross 17.7% Net 5.8% \$ 17,993	Gross 5.3% Net -5.3% \$ 20,838	Gross 28.3% Net 11.7% \$ 13,967

Comments on Market Data: PROPERTIES USED HAVE SOLD IN THE PAST AS MONTHS AND ARE THE MOST SIMILAR TO THE SUBJECT IN SIZE, AND LOCATION. THERE HAVE BEEN 9 SALES IN THE PAST YEAR FOR THE ENTIRE CITY. \*\*\* See Additional Comments \*\*\*

Comments and Conditions of Appraisal: THE SUBJECT IS IN A LT INDUSTRIAL ZONE. THERE ARE NO STRUCTURES ON THE LOT. THERE IS A MULTIFAMILY NEXT DOOR. \*\*\*SEE ADDTL COMMENTS.

Final Reconciliation: THE SALES APPROACH WAS USED FOR THIS APPRAISAL PURPOSE.

**RECONCILIATION**

I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF AUGUST 16, 2010 to be \$15,000  
 Appraiser(s) Susan Shapiro Review Appraiser (if applicable)  Did  Did Not Physically Inspect Property  
 Signature \_\_\_\_\_  
 Name SUSAN L. SHAPIRO Date 08/17/2010 Name \_\_\_\_\_ Date \_\_\_\_\_  
 State CT  License  Certification # RCR.1456 State \_\_\_\_\_  License  Certification # \_\_\_\_\_

**ADDITIONAL COMMENTS**

Borrower or Owner BENCHMARK MUNICIPAL TAX SERVICES, LTD vs LEOCADIA MOREL  
Property Address 1752 BARNUM AVENUE  
City BRIDGEPORT County FAIRFIELD State CT Zip Code 06610  
Lender or Client JUDA J. EPSTEIN, ATTORNEY AT LAW

**Neighborhood**

THE MARKETABILITY IS FAIR TO POOR. ALTHOUGH IT IS NEXT TO ANOTHER VACANT LOT WHICH COULD HAVE POTENTIAL FUTURE DEVELOPMENT. THERE HAS BEEN VERY LITTLE DEVELOPMENT IN THE PAST 3 YEARS, EXCEPT CITY OR HABITAT FOR HUMANITY FUNDING FOR NEW HOUSING. THE BUSY LOCATION WAS GIVEN SOME VALUE FOR BUSINESS POTENTIAL.

**Comments on Market Data**

BECAUSE OF THE LACK OF SALES FOR NEW CONSTRUCTION AND DIFFICULTY IN FINANCING LAND, IT HAS BEEN A DECLINING MARKET FOR LAND SALES. THE SUBJECT IS ON A BUSY ROAD WHICH IS ADVANTAGEOUS FOR A SMALL BUSINESS. THE CURRENT MARKET FOR LT INDUSTRIAL PROPERTIES IS DECLINING AND THERE HAVE BEEN NO SIMILAR SALES IN THE PAST FEW MONTHS IN THE SUBJECTS PART OF TOWN. SMALL ADJUSTMENTS WERE MADE LAND SIZE.

Borrower or Owner **BENCHMARK MUNICIPAL TAX SERVICES, LTD vs LEOCADIA MOREL**  
 Property Address **1752 BARNUM AVENUE**  
 City **BRIDGEPORT** County **FAIRFIELD** State **CT** Zip Code **06610**  
 Client **JUDA J. EPSTEIN, ATTORNEY AT LAW**

**ASSESSMENT REPORT  
CONNECTICUT**

Address: **1752 BARNUM AVE** Town: **BRIDGEPORT**  
 Owner: **MOREL LEOCADIA** Parcel ID: **130M1834B46**

**>>> LOCATION & OWNERSHIP <<<**  
 Address : **1752 BARNUM AVE** RawPropID : **M:1834 B:46**  
 City/Town : **BRIDGEPORT CT 06610- 3208** Account # :  
 Owner: **MOREL LEOCADIA** Prop Type : **LAND/LOTS/FARMS**  
 Owner 2: County: **FAIRFIELD**  
 Mail Addr: **1744 BARNUM AVE** Land-use: **RES-OPEN-LND**  
 Mail City: **BRIDGEPORT CT 06610** Condo:  
 Absent Own: **YES** Census Tract: **743.00**  
 Census Block: **1**  
 Latitude: **41.1889**  
 Longitude: **73.1576**

**>>> TAXES & ASSESSMENTS <<<**  
 Assessed Land Value: **\$72,570** Tax Amount : **\$2,811**  
 Assessed Bldg Value: **\$0** Tax Year(Beg. Jul): **7/09-6/10**  
 Assessed Total Value: **\$72,570** MIL Rate: **39.640**

**>>> TRANSFER INFORMATION <<<**

Seller(Grantor)	Date	Price	Type	Book	Page
Buyer(Grantee)	Buyer Phone				
MOREL LEOCADIA	04/24/07	\$		7462	150
		\$		0	0
		\$			

Mortgages for recent sale, if avail.; subsequent mortgages or releases may exist

Mortgage Lender	Amount	Type	Term	Rate
	\$			0.00
	\$			

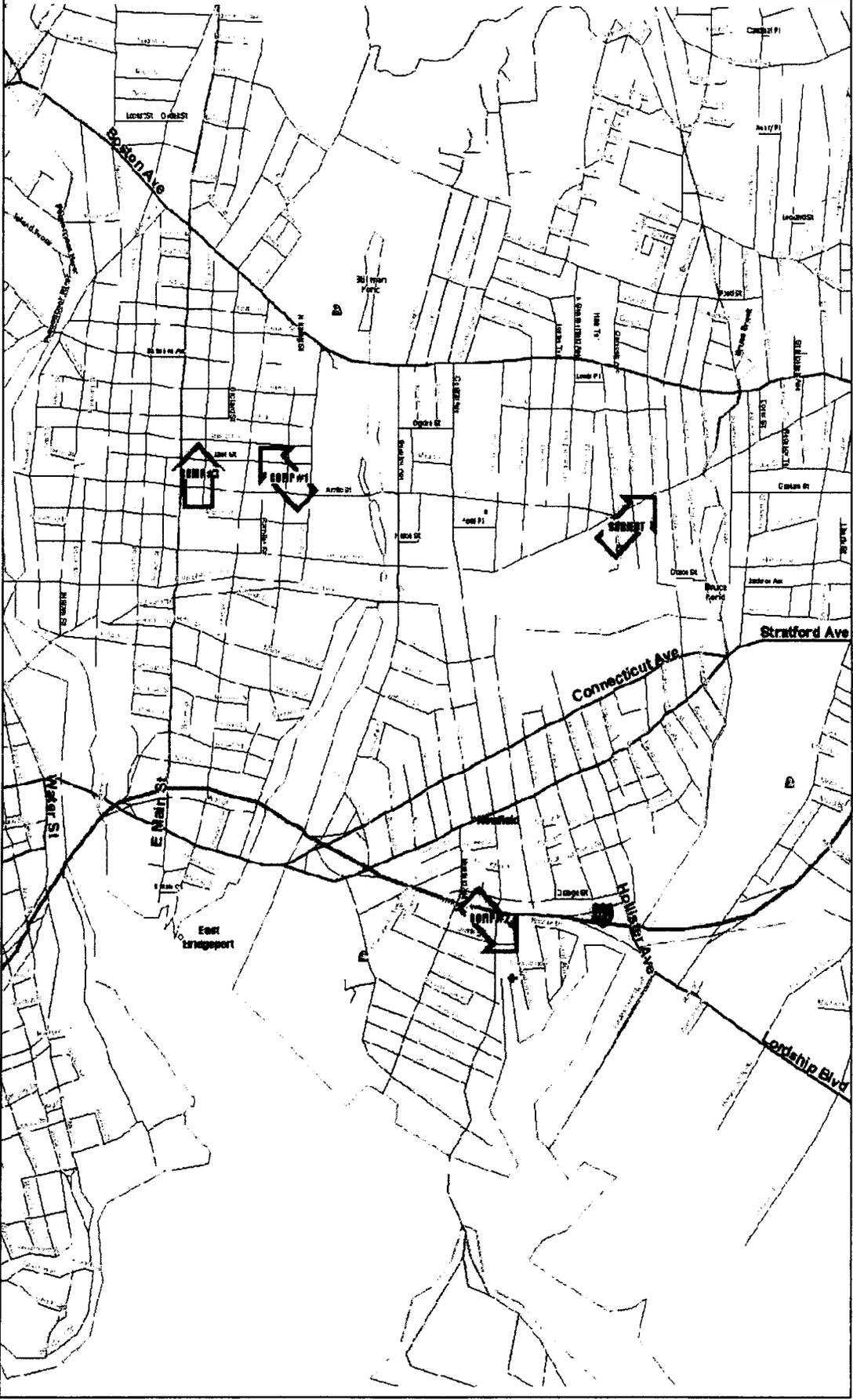
**>>> CHARACTERISTICS <<<**

Est Lot Acres:	.14	Year Built:	
Est Lot Sq Ft:	6,250	Number Of Bldgs:	
Number of Units:		Building Style:	
Number of Floors:		Building Cond:	
Living Area Sq Ft:		Basement Sq Ft:	
Gross Bldg Sq Ft:		Basement Type:	
Total Rooms:		Construction:	
Bedrooms:		Exterior type:	
Bathrooms:	0.00	Roof Type:	
Half Baths:	0	Roof Material:	
Parking Type:		Heat Type:	
Parking Capacity:		Fuel Type:	
Fireplaces:			

**OTHER AMENITIES**

### LOCATION MAP

Borrower or Owner **BENCHMARK MUNICIPAL TAX SERVICES, LTD vs LEOCADIA MOREL**  
Property Address **1752 BARNUM AVENUE**  
City **BRIDGEPORT** County **FAIRFIELD** State **CT** Zip Code **06610**  
Client **JUDA J. EPSTEIN, ATTORNEY AT LAW**





### PHOTOGRAPH ADDENDUM

Borrower or Owner BENCHMARK MUNICIPAL TAX SERVICES, LTD vs LEOCADIA MOREL

Property Address 1752 BARNUM AVENUE

City BRIDGEPORT

County FAIRFIELD

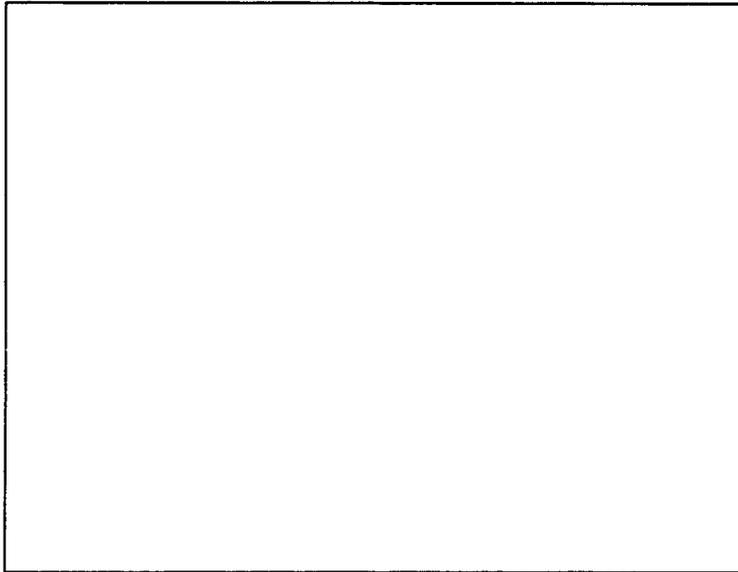
State CT

Zip Code 06610

Client JUDA J. EPSTEIN, ATTORNEY AT LAW



**FRONT VIEW OF  
SUBJECT PROPERTY**



**REAR VIEW OF  
SUBJECT PROPERTY**



**STREET SCENE OF  
SUBJECT PROPERTY**

### PHOTOGRAPH ADDENDUM

Borrower or Owner BENCHMARK MUNICIPAL TAX SERVICES, LTD vs LEOCADIA MOREL  
Property Address 1752 BARNUM AVENUE  
City BRIDGEPORT County FAIRFIELD State CT Zip Code 06610  
Client JUDA J. EPSTEIN, ATTORNEY AT LAW



#### COMPARABLE #1

674 SHELTON STREET  
BRIDGEPORT

Price \$17,000  
Price/SF 212,500  
Date 01/20/2010

Site Area 0.08 ACRES

Value Indication \$17,993



#### COMPARABLE #2

154 WEBSTER STREET  
BRIDGEPORT

Price \$22,000  
Price/SF 183,333  
Date 02/11/2010

Site Area 0.12 ACES

Value Indication \$20,838



#### COMPARABLE #3

510 SHELTON STREET  
BRIDGEPORT

Price \$12,500  
Price/SF 178,571  
Date 11/02/2009

Site Area 0.07 ACRES

Value Indication \$13,967

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concessions but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

#### STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

**CONTINGENT AND LIMITING CONDITIONS:** The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. The separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

**APPRAISER'S CERTIFICATION:** The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

**SUPERVISORY APPRAISER'S CERTIFICATION:** If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

**ADDRESS OF PROPERTY APPRAISED:** 1752 BARNUM AVENUE, BRIDGEPORT, CT 06610

**APPRAISER:**

Signature: *Susan Shapiro*  
 Name: SUSAN L. SHAPIRO  
 Date Signed: August 17, 2010  
 State Certification #: RCR.1456  
 or State License #: \_\_\_\_\_  
 State: CT  
 Expiration Date of Certification or License: 4/30/2011

**SUPERVISORY APPRAISER (only if required):**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Date Signed: \_\_\_\_\_  
 State Certification #: \_\_\_\_\_  
 or State License #: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Expiration Date of Certification or License: \_\_\_\_\_  
 Did  Did Not Inspect Property



City of Bridgeport, Connecticut  
**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT**  
 MARGARET E. MORTON GOVERNMENT CENTER  
 999 BROAD STREET  
 BRIDGEPORT, CONNECTICUT 06604  
 TELEPHONE: (203) 576-7221  
 FAX: (203) 332-5611

BILL FINCH  
 Mayor

DAVID M. KOORIS  
 Director

RECEIVED  
 CITY CLERK'S OFFICE  
 2013 DEC 10 P 2:18  
 ATTEST  
 CITY CLERK

City Clerk  
 45 Lyons Terrace  
 Bridgeport, CT 06605

**COMM. #10-13 Referred to ECD&E Committee on 12/16/2013**

December 10, 2013

**Re: A Resolution Concerning Disposition of City Owned Property. Ordering a Public Hearing Relative to the Same**

Dear City Clerk:

Please find attached for your review and consideration a resolution authoring the Director of the Office of Planning and Economic Development to negotiate agreement related to the disposition and redevelopment of this property generally on conformance with the attached Resolution. The Planning & Zoning Commission gave its approval for such disposition at its meeting; The City Hall Committee gave its approval.

**Disposition of City-Owned Parcels**

NUMBER	ADDRESS	HOUSE TYPE	Block/Lot	Recommendation
445-449	Kossuth Street	Lot	801-14B	Sell
431-435	Kossuth Street	Lot	801-14A	Sell

Attached, please find individual parcel locator maps and parcel data sheets for all of these disposition parcels, and a resolution to effectuate the sale that requires Council approval.

Since there is a requirement that a Public Hearing be conducted by the Legislative body of the City of Bridgeport prior to any vote to approve or disapprove the sale, disposition or transfer of real property owned by the municipality; and since the City Clerk shall cause notice of such public hearing to be published in an newspaper of general circulation, and order the posting of the property in conformance with the City Ordinance and State Statute, I have attached a Resolution for your referral.

Thank You.

Sincerely,

A handwritten signature in black ink, appearing to read 'Max Perez', is written over the printed name.

~~Max Perez~~

Senior Economic Development Associate

CC: Mayor Finch  
Andrew Nunn, CAO  
Alanna C. Kabel, DCAO  
David Korris, Director OPED  
Atty. R. Liskov, City Attorney

**A RESOLUTION BY THE BRIDGEPORT CITY COUNCIL  
REGARDING THE DISPOSITION AND REDEVELOPMENT OF  
431-435 Kossuth Street & 445-449 Kossuth Street**

**WHEREAS**, Alex Smith, aka Engineers Ironworks Welding LLC, (the “Developer”) a successful private firm that provides the professional services necessary to construct new buildings and repair existing structures, and structural analysis and design according to building code requirements, is the owner of land and buildings located at 425 Kossuth Street; and

**WHEREAS**, the Developer is in need of a site to build a new building and provide the requirement for landscaping and parking for its approximately 10 employees; and

**WHEREAS**, the City of Bridgeport-owned property at 431-435 Kossuth Street and 445-449 Kossuth Street (the “Site”) is adjacent to the Developer’s property at 425 Kossuth Street; and

**WHEREAS**, the Developer is willing to purchase the Site from the City of Bridgeport for \$38,000 (Thirty-Eight Thousand Dollars) and is further willing to remove all blight from the Site in order to construct a new building, landscaping and parking for its approximately 10 employees; and

**WHEREAS**, the current use of the Site offers no significant economic benefit to the City of Bridgeport, and detracts from the attractiveness of the East Main Street commercial corridor and the East Side of Bridgeport as a whole; and

**WHEREAS**, it is in the best interest of the City to clean-up the blighted condition of the Site and to facilitate its redevelopment, especially if these actions can be achieved at the sole expense of a responsible private developer; and

**WHEREAS**, the Site was appraised on September 27, 2013 at \$38,000.00 (Thirty-Eight Thousand dollars); and

**WHEREAS**, the Developer seeks no warranties from the City regarding the environmental condition, physical condition or title on the Site;

**NOW THEREFORE**, be it resolved that the Bridgeport City Council authorizes the Director of the Office of Planning and Economic Development to do any and all things necessary to negotiate and execute with The Developer the sale and redevelopment of the Site in a manner consistent with this resolution.

•  
•  
•  
•  
•  
•  
•

**Alex Smith**

---

425 Kossuth St  
Bridgeport, CT 06608  
(203) 334-2492  
(203) 336-8220 Fax  
Email: [Engweldingllc@optonline.net](mailto:Engweldingllc@optonline.net)

**November 19, 2013**

**Max Perez**  
**Office of Planning & Economic Development**  
**999 Board Street, 2<sup>nd</sup> Floor**  
**Bridgeport CT 06604**

**Reference:** 431-435 Kossuth St and 445-449 Kossuth St vacant lots

Mr. Perez

I Alex Smith own the property adjacent to the above referenced lots. I am interested in purchasing the lot. I have taken it upon myself to gather an appraisal for the lots. Based on the appraisal I would like to purchase the lots.

I want to purchase the lot, I would clean up the lot, landscape and fence in and prepare it for a new building to be erected on the site.

The plans I have for the lots would bring taxable income along with some jobs openings for the surrounding community.



Regards,  
Alex Smith

• • • • •

Your Welding Contractor

**Perez, Max**

---

**From:** Engineers Ironworks [engweldingllc@optonline.net]  
**Sent:** Tuesday, November 26, 2013 8:32 AM  
**To:** Perez, Max  
**Subject:** 431-435 Kossuth St and 445-449 Kossuth St.

Max,

I would like to make an offer based on the appraisal value for the property listed above.

*Regards*  
*Alex Smith*  
*Engineers Welding LLC*  
*425 Kossuth St*  
*Bridgeport CT 06608*  
*P: 203 334 2492 ext 201*  
*F: 203 336 8220*  
*E: [Engweldingllc@optonline.net](mailto:Engweldingllc@optonline.net)*

NOBLE

CRESC

CLARENCE ST

PULASKI ST

December 3, 2013

0 150 Feet

SUMMARY APPRAISAL OF REAL ESTATE

OWNED BY  
The City of Bridgeport

LOCATED AT

431-435 Kossuth Street & 445-449 Kossuth Street  
Bridgeport, Connecticut

THIS REPORT IS WRITTEN AT THE REQUEST OF:

Mr. Alex Smith  
Engineers Welding, LLC  
425 Kossuth Street  
Bridgeport, CT 06608

BY

VIMINI ASSOCIATES  
REAL ESTATE APPRAISERS AND ANALYSTS  
BRIDGEPORT, CONNECTICUT



## VIMINI ASSOCIATES

REAL ESTATE SERVICES

SINCE 1968

September 27, 2013

Mr. Alex Smith  
Engineers Welding, LLC  
425 Kossuth Street  
Bridgeport, CT 06608

Re: 431-435 Kossuth Street & 445-449 Kossuth Street  
Bridgeport, Connecticut

Dear Mr. Smith:

In accordance with your request to perform a valuation of the above captioned property, and issuing my findings to you in summary form, I submit this appraisal report. The purpose of this appraisal is to estimate the current market value, as defined in subsequent sections of this report. The function of this report is reportedly for potential acquisition negotiations. The effective date of this analysis is September 17, 2013, the date of inspection. The opinion of value stated in this report is based upon the Sales Comparison Approach, and the value stated is in "Fee Simple" estate, as the subject is comprised of a vacant lot, which is best valued by this method.

The undersigned appraisers certify that this appraisal report has been prepared in conformance with the Uniform Standard of Professional Appraisal Practice (USPAP), and conforms to the standards of the Appraisal Institute.

The subject property is located in the east side of the city, along lower Kossuth Street which has industrial, recreational or institutional uses along its path from Stratford Avenue to Crescent Avenue. Residential uses are located on side streets in the neighborhood. The subject is comprised of two adjoining rectangular shaped parcels. The sites are zoned HI (Heavy Industrial) which prohibits residential development. Each parcel is a pre-existing, non-conforming lot once improved with residential structures which have been razed. Currently the site is vacant utilized for storage by the adjoining owner. Each parcel has a shallow depth of 79 feet or less and a narrow width. The highest and best use if merger of the two parcels creating a single lot for industrial use. Soil Content is unknown and reader is advised to consult with a LEP regarding soil content. The appraiser reserves the right to amend this report based upon findings of soil testing. A more detailed description of the property is provided further in this report.

The preparation of this report involved a check of city records, and research and analysis of market data. A personal inspection of the property was performed on September 17, 2013.

APPRAISAL SERVICES / COMMERCIAL & INDUSTRIAL BROKERAGE / LOAN BROKERAGE / PROPERTY MANAGEMENT

1057 BROAD STREET

BRIDGEPORT, CT 06604

TELEPHONE (203)384-6000

FAX (203)384-9421

Re: 431-435 Kossuth Street & 445-449 Kossuth Street  
Bridgeport, Connecticut

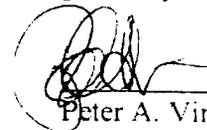
Page two

Based on this inspection, and the analysis of the data secured, it is my opinion that the Market Value of the fee simple estate of the property, as of September 17, 2013, subject to the assumptions and limiting conditions set-forth at the conclusion of this report, is the amount of:

**Thirty-Eight Thousand Dollars**  
**(\$38,000.00)\***

\* The appraiser is unaware of any studies of the soil content, or the presence of contamination in the improvements, and has no knowledge as to whether the subject property may be affected by Connecticut Public Act 85-443 (super lien law) or Public Act 84-535 (an act concerning clarifications of permits for hazardous liability resulting from any soil contamination due to the storage of hazardous waste). This appraisal report and the value estimates contained herein assume no potential liability resulting from any soil contamination as a result of the plating operation or due to the storage of hazardous waste material, automobiles and/or chemical spills which may have occurred on this property, or via contamination from adjoining properties, over past years. The appraiser, however, was not privy to any site assessment, clean-up costs, estimates etc. and therefore, could not take these factors into consideration in the analysis, nor reasonably quantify the effect of these conditions or any stigma which may be inherent in the subject property as a result of this contamination. It is also worthy to note that the appraiser is not qualified to detect the existence of substances such as lead, urea-formaldehyde, radon gas, foam insulation, asbestos, or other potentially hazardous waste material that may have an effect on the value of the property. The appraiser reserves the right to amend this report, at an additional fee, pending the findings of any site or environmental assessment report as to the presence of any on-site toxic, hazardous wastes or contaminants that may affect the value of the property. **The user of this appraisal report is warned that the value conclusion derived herein, is considered in a clean and uncontaminated state, and that seeking legal, and environmental advice as to the preceding issues is strongly recommended.**

Respectively Submitted,

  
Peter A. Vimini, MAI



BILL FINCH  
Mayor

City of Bridgeport, Connecticut  
**CENTRAL GRANTS OFFICE**

999 Broad Street  
Bridgeport, Connecticut 06604  
Telephone (203) 332-5662  
Fax (203) 332-5657

**ANDREW J. NUNN**  
Chief Administrative Officer

**CHRISTINA B. SMITH**  
Director  
Central Grants

December 11, 2013

**Comm. #11-13 Referred to ECD&E Committee**

**On 12/16/2013**

Office of the City Clerk  
City of Bridgeport  
45 Lyon Terrace, Room 204  
Bridgeport, Connecticut 06604

Re: Resolution – State of Connecticut Department of Energy and Environmental Protection (DEEP) Microgrid Design and Installation Grant for Critical Facilities

Attached please find a Grant Summary and Resolution for the State of Connecticut Department of Energy and Environmental Protection (DEEP) Microgrid Design and Installation Grant for Critical Facilities in the City of Bridgeport

**Grant:** State of Connecticut Department of Energy and Environmental Protection (DEEP) Microgrid Design and Installation Grant for Critical Facilities in the City of Bridgeport

If you have any questions or require any additional information please contact me at 203-332-5664 or [Patrick.carleton@bridgeportct.gov](mailto:Patrick.carleton@bridgeportct.gov).

Thank you,

Patrick Carleton  
Central Grants Office



## GRANT SUMMARY

---

**PROJECT TITLE:** State of Connecticut Department of Energy and Environmental Protection: Microgrid Design and Installation Grant for Critical Facilities in City of Bridgeport-City Hall/Bridgeport

RENEWAL                      NEW

DEPARTMENT SUBMITTING INFORMATION: **Central Grants Office**

CONTACT NAME:              **Patrick Carleton**

PHONE NUMBER:              **203-332-5664**

### **PROJECT SUMMARY/DESCRIPTION:**

The City of Bridgeport will receive \$2,975,000 from the State of Connecticut Department of Energy and Environmental Protection a Microgrid Design and Installation Grant for Critical Facilities of the City of Bridgeport, including City Hall.

This funding will be used for the engineering, procuring, constructing and operating of an electrical system capable of independent operation (island mode) and grid connected operation to serve Bridgeport City Hall, Police Headquarters and the Golden Hill Senior Center. The Microgrid will incorporate a minimum of 1,800 kW of generating capacity consisting of three, 600 kW dual fuel, natural gas/liquid propane continuous/prime turbine generators.

In addition, a new stand alone, single story, concrete microgrid generation building will be constructed to house the three turbine generators, indoor Main Emergency Paralleling and Synchronizing Switchgear (MES).

**Project Period:** Project Period Ends December 31, 2014.

### **IF APPLICABLE**

<b>FUNDING SOURCES</b> (include matching/in-kind funds):	<b>FUNDS REQUESTED</b>
Federal:	Salaries/Benefits:
State: <b>\$2,975,000</b>	Supplies:
City:	
Other:	

**A Resolution by the Bridgeport City Council**

**Regarding the State of Connecticut Department of Energy and Environmental Protection**

**Microgrid Design and Installation Grant for Critical Facilities**

**(DRAFT)**

**WHEREAS**, the State of Connecticut Department of Energy and Environmental Protection is authorized to extend financial assistance to municipalities in the form of grants; and

**WHEREAS**, this funding has been made possible through the Microgrid Grant Program; and

**WHEREAS**, funds under this grant will be used for the engineering, procuring, constructing and operating of an electrical system capable of independent operation (island mode) and grid connected operation to serve critical facilities in Bridgeport, Connecticut; and,

**WHEREAS**, it is desirable and in the public interest that the City of Bridgeport, Department of Public Facilities, submit an application to the State of Connecticut Department of Energy and Environmental Protection in the amount of \$2,975,000 for the Microgrid Design and Installation Grant for Critical Facilities; and,

**Now therefore, be it hereby RESOLVED BY THE CITY COUNCIL:**

1. That it is cognizant of the City's grant application to and contract with the State of Connecticut Department of Energy and Environmental Protection to engineer, procure, construct and operate an electrical system capable of independent operation (island mode) and grid connected operation to serve critical facilities located in Bridgeport, Connecticut; and,
2. That it hereby authorizes, directs and empowers the Mayor or his designee to execute and file such application with the State Department of Energy and Environmental Protection for the Microgrid Design and Installation Grant for Critical Facilities and to provide such additional information and to execute such other contracts, amendments, and documents as may be necessary to administer this program.



BILL FINCH  
Mayor

City of Bridgeport, Connecticut  
**DEPARTMENT OF HOUSING AND  
COMMUNITY DEVELOPMENT**

999 Broad Street  
Bridgeport, Connecticut 06604  
Telephone (203) 576-8144  
Fax (203) 576-7734

ANDREW J. NUNN  
CAO

DAVID KOORIS  
Director, OPED

TYLER FAIRBAIRN  
Acting Deputy Director

**Comm. #12-13 Referred to Miscellaneous Matters Committee  
On 12/16/2013**

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MEMORANDUM

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**TO:** Honorable Members of the Bridgeport City Council  
**CC:** Frances Ortiz, Assistant City Clerk  
**FROM:** Tyler Fairbairn  
Acting Deputy Director, Department of Housing and Community Development  
**RE:** Bridgeport Citizen's Union and Citizen Participation Plan  
**DATE:** December 10, 2013

---

Pursuant to Bridgeport City Ordinance 2.108.010 and the City of Bridgeport's Citizen Participation Plan, the Bridgeport Citizen's Union was created to provide residents of Bridgeport with a voice in the City's consolidated plan and annual action plan process as related to the establishment of community planning goals and allocation of federal Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS funding.

The Citizen's Union bylaws call for each member of the City Council to appoint one (1) representative to the Citizen's Union. Each appointed member will serve a two-year term, expiring on the same date as the term of the City Council member who appointed them.

A draft of the City's Citizen Participation Plan is available on the Department of Housing and Community Development's City website.

The Department of Housing and Community Development respectfully submits the attached draft resolution and draft Citizen's Union roster for referral to committee at the December 16, 2013 meeting of the City Council.

If you have any questions, please do not hesitate to contact me at (203) 576-8144, or by email at [tyler.fairbairn@bridgeportct.gov](mailto:tyler.fairbairn@bridgeportct.gov).

Thank you for your consideration.

WTF  
12/10/13

**CITIZEN PARTICIPATION PLAN and CITIZEN'S UNION**

**DRAFT RESOLUTION**

Approved on \_\_\_\_\_ as # \_\_\_\_\_

**WHEREAS**, Bridgeport City Ordinance 2.108.010 establishes a Bridgeport Citizen's Union; and,

**WHEREAS**, the Citizen's Union is incorporated into the City of Bridgeport's Citizen Participation Plan; and

**WHEREAS**, the purpose of the Citizen's Union is to provide the citizens of Bridgeport with an organized structure for allowing them the opportunity to participate in the planning and development of the City's Five-Year Consolidated Plan and Annual Action Plans which implement the goals and objectives articulated in the Consolidated Plan; and,

**WHEREAS**, a total of twenty (20) members will sit on the Citizen's Union; and,

**WHEREAS**, one representative will be appointed by each of the twenty (20) Bridgeport City Council members for a total of twenty members; and,

**WHEREAS**, the proposed slate of new Citizen's Union members is subject to City Council approval;

Now Therefore be it

**RESOLVED**, that the Bridgeport City Council hereby approves the attached 2014-2016 Bridgeport Citizens' Union Committee slate as nominated by members of the City Council.

**City of Bridgeport Citizen’s Union**

**2014-2016 Roster**

<b>District/Council Member</b>	<b>Nomination</b>
130 <sup>th</sup> – Susan T. Brannelly	[name] [address] Bridgeport, CT  Phone: Email:
130 <sup>th</sup> – Rick Torres	[name] [address] Bridgeport, CT  Phone: Email:
131 <sup>st</sup> – Jack O. Banta	[name] [address] Bridgeport, CT  Phone: Email:
131 <sup>st</sup> – Denese Taylor-Moye	[name] [address] Bridgeport, CT  Phone: Email:
132 <sup>nd</sup> – Patricia Swain	[name] [address] Bridgeport, CT  Phone: Email:
132 <sup>nd</sup> – Robert E. Halstead	[name] [address] Bridgeport, CT  Phone: Email:

<p>133<sup>rd</sup> – Howard Austin, Sr.</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>133<sup>rd</sup> – Thomas C. McCarthy</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>134<sup>th</sup> – Michelle A. Lyons</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>134<sup>th</sup> – AmyMarie Vizzo-Paniccia</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>135<sup>th</sup> – Mary A. McBride-Lee</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>135<sup>th</sup> – Richard D. Salter, Sr.</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>136<sup>th</sup> – Richard DeJesus</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>136<sup>th</sup> – Alfredo Castillo</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>

<p>137<sup>th</sup> – Lydia N. Martinez</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>137<sup>th</sup> – Milta I. Feliciano</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>138<sup>th</sup> – Michael J. Marella, Jr.</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>138<sup>th</sup> – Richard M. Paoletto, Jr.</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>139<sup>th</sup> – James Holloway</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>
<p>139<sup>th</sup> – Eneida L. Martinez-Walker</p>	<p>[name] [address] Bridgeport, CT</p> <p>Phone: Email:</p>



# City of Bridgeport, Connecticut

*To the City Council of the City of Bridgeport.*

The Committee on Contracts begs leave to report; and recommends for adoption the following resolution:

**\*04-13 Consent Calendar**

**RESOLVED**, That the attached Greater Bridgeport Regional Solid Waste Interlocal Agreement to create a Greater Bridgeport Regional Solid Waste Committee be and it hereby is, in all respects, approved, ratified and confirmed.

**RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON CONTRACTS**

\_\_\_\_\_  
Howard Austin Sr., Co-chair

\_\_\_\_\_  
Richard DeJesus, Co-chair

\_\_\_\_\_  
Susan T. Brannelly

\_\_\_\_\_  
James Holloway

\_\_\_\_\_  
Richard D. Salter, Sr.

\_\_\_\_\_  
Alfredo Castillo

\_\_\_\_\_  
Richard Paoletto

Draft 11/7/13

**GREATER BRIDGEPORT REGIONAL SOLID  
WASTE INTERLOCAL AGREEMENT**

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**Greater Bridgeport Regional Solid Waste  
Interlocal Agreement**

THIS AGREEMENT, dated as of January 1, 2014, is by and among the Municipalities signatory to this Agreement ("Municipalities").

1. **PURPOSE.** The purpose of this Agreement is to create the Greater Bridgeport Regional Solid Waste Committee (the "Committee") as the body to deal with all matters affecting the Municipalities in connection with the delivery of municipal solid waste to one or more resources recovery facilities with which it contracts (each, a "Facility"), and the purchase of electric power if the terms of such delivery include the supply of electric power.

2. **COMMITTEE MEMBERSHIP.** (a) Each of the following Municipalities which has ratified this Agreement pursuant to Section 7-339c of the General Statutes of Connecticut shall be a member of the Committee:

Town of Bethany  
City of Bridgeport  
Town of Easton  
Town of Fairfield  
City of Milford  
Town of Monroe  
Town of Orange  
Town of Stratford  
Town of Trumbull  
Town of Westport  
Town of Woodbridge

(b) If an additional municipality is contractually entitled or obligated to deliver municipal solid waste to the Facility through the Committee and ratifies this Agreement pursuant to C.G.S. Section 7-339c, it shall become a member of the Committee with all rights and obligations of a member pursuant to this Agreement; provided that the Committee consents to such municipality becoming a member of the Committee by a majority vote.

3. DURATION OF AGREEMENT. The Agreement shall be in effect from its effective date until June 30, 2034, unless at any time there are not two Municipalities continuing to be members, in which event it shall automatically terminate.

4. EFFECTIVE DATE. The effective date of this Agreement shall be January 1, 2014.

5. ESTABLISHMENT OF GREATER BRIDGEPORT REGIONAL SOLID WASTE COMMITTEE. The "Greater Bridgeport Regional Solid Waste Committee" is hereby established, as authorized by Sections 7-339a and 22a-221(c) of the General Statutes of Connecticut. The Committee shall be an operating committee constituting a public instrumentality and political subdivision of the State of Connecticut.

6. ORGANIZATION OF THE COMMITTEE. Within sixty days of the effective date of this Agreement, the representatives to the Committee designated by the member Municipalities shall meet and organize and select from among the designated representatives a Chairman, Vice Chairman, Secretary, Treasurer, and such other officers as the representatives deem appropriate. The initial term of office shall expire at 12:00 p.m. (Midnight) on December 31, 2014. New officers shall be elected annually and each term of office shall commence at 12:01 a.m. on the first day of January each year. In the absence or incapacity of the Chairman, the Vice Chairman shall be vested with all powers of the Chairman.

7. POWERS AND RESPONSIBILITIES OF COMMITTEE. (a) The Committee is authorized to negotiate, execute and deliver a contract for the delivery of municipal solid waste to a Facility as it shall determine to be in the best interests of the Municipalities. The contract shall be for a term the Committee shall determine, but shall not extend beyond the term of this Agreement and shall not exceed a term, including options for extension, exceeding 30 years.

The Committee is authorized to obligate each Municipality to deliver municipal solid waste to the Facility, which obligation may be in the form of (i) a minimum annual tonnage commitment of each Municipality, (ii) a commitment of a Municipality to deliver all municipal solid waste under its control, (iii) a minimum annual tonnage commitment of the Municipalities in the aggregate, (iv) a commitment to deliver tonnage from particular sources or classes of sources (such as residential or commercial), or (v) some combination of the foregoing. The Committee is authorized to determine, by resolution or in the contract, the consequences to each Municipality of any default in the performance of any delivery commitment made by the Committee or on behalf of any Municipality. The Committee shall be responsible for representing the interests of the Municipalities in all matters relating to the delivery of municipal solid waste to the Facility, and shall be the authorized representative of each Municipality for purposes of any such contract including, without limitation, all matters stated therein to be determined by the Committee. Any such contract may provide for:

(i) Arrangements for the billing and payment of tipping fees directly between the operators of the Facility and a Municipality;

(ii) Arrangements for the delivery of electric power by the Facility to the Municipality, and billing and payment of electric power purchase payments directly between the operators of the Facility and a Municipality, or payment in the form of a credit against tipping fees;

(iii) Billing of an aggregate administrative cost (whether or not in the form of a per ton charge) authorized and approved by the Committee, to a Municipality and payable to the Committee, or to the operators of the Facility for further credit to the Municipality.

(b) The Committee shall analyze all reports, communications and other data received by it and advise member Municipalities and make recommendations as appropriate. The Committee shall inquire and investigate any matter deemed by it to justify such action and shall keep member Municipalities advised of all developments. The Committee shall prepare and

distribute to the member Municipalities an annual report of its activities and recommendations and such additional reports as deemed appropriate.

(c) The Committee shall have the following additional powers:

(i) to retain by contract or employ counsel, auditors, private consultants and advisers;

(ii) to conduct such hearings, examinations and investigations as may be necessary and appropriate to the conduct of its operations and the fulfillment of its responsibilities;

(iii) to examine alternatives to disposal of municipal solid waste at the Facility, including alternatives to renewal of contractual arrangements with respect to the Facility; and

(iv) to otherwise do all things necessary or desirable in connection with the performance of its duties, the conduct of its operations, and its relationships with the Municipalities and the Facility.

8. REGULAR, SPECIAL AND EMERGENCY MEETINGS. (a) The Committee shall hold regular quarterly meetings, or more frequent regular meetings, at such times and places as determined by the Committee. In the event the Chairman of the Committee determines that it is not necessary to hold a regular meeting, he/she may cancel such meeting by giving written or telephone notice of such cancellation at least 24 hours prior to the time of the meeting.

(b) The Chairman of the Committee may call a special or emergency meeting as he/she determines appropriate, giving, in each instance, as much advance notice as circumstances permit. The Chairman or Secretary of the Committee shall promptly call a special or emergency meeting upon the request of representatives from three or more member Municipalities.

(c) The Committee shall conduct its affairs in compliance with the Freedom of Information Act.

9. VOTING, QUORUM. (a) Each member Municipality shall be entitled to one representative on the Committee with one vote on all matters except for the City of Bridgeport which shall be entitled to three representatives each with one vote on all matters. Such representatives shall be the chief elected official of such member Municipality or his or her designated alternate, and in the case of the City of Bridgeport, two additional representatives named by the Mayor of the City. Representatives to the Board shall serve without compensation.

(b) A quorum for conducting business at any meeting of the Committee shall consist of the presence of representatives collectively holding a majority of the total membership votes.

(c) Unless otherwise specifically provided herein, all matters shall be decided by a majority vote of the representatives present. Should the Committee become involved in any

dispute or controversy requiring resolution by a third party, the Committee shall give priority to the use of Alternative Dispute Resolution means in resolving such dispute or controversy.

10. BUDGET; PAYMENT OF EXPENSES. The Committee shall prepare a proposed annual expense budget and shall distribute it to the Municipalities for comments at least 45 days prior to the Committee voting to adopt a budget. When a budget is adopted by the Committee, such budget shall be binding upon the Municipalities. The Committee shall give notice of such expense budget to the Authority, which shall include such budgeted expense amount as the Committee's Administrative Fee under its contracts with the Municipalities.

11. AMENDMENT; WITHDRAWAL. The Agreement may be amended by vote of the legislative bodies of two-thirds of the member Municipalities.

A member Municipality may request permission from the Committee to withdraw from the Committee at any time, but any such withdrawal shall be subject to approval by a majority vote of the Municipality. The approval of a request to withdraw may be conditioned by the Committee in its discretion as to time, breakage costs, damages or other matters, and on such withdrawal not being in breach of any contract for delivery of municipal solid waste then in effect.

## 12. MISCELLANEOUS

12.1 Binding Effect of Agreement. This Agreement shall inure to the benefit of and shall be binding upon each of the Municipalities and their respective successors and assigns.

12.2 Entire Agreement. The provisions of this Agreement shall constitute the entire agreement among the Municipalities with reference to their obligations to each other relating to the Facility.

12.3 Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

12.4 Relationship of the Parties. Except as otherwise explicitly provided herein, nothing in this Agreement shall be deemed to constitute any party hereto a partner, agent, or legal representative of any other party thereto or to create any fiduciary relationship between or among such parties.

12.5 Notices. All notices or other communications hereunder shall be sufficiently given and shall be deemed given when mailed by first class mail, postage prepaid, to each representative as follows:

To the Town of Bethany, Connecticut:

The Town of Bridgeport  
Town Hall  
40 Peck Rd.  
Bethany, Connecticut 06524  
Attention: First Selectman

To the City of Bridgeport, Connecticut:

The City of Bridgeport  
City Hall  
Room 124  
45 Lyon Terrace  
Bridgeport, Connecticut 06004  
Attention: Mayor

To the Town of Easton, Connecticut:

The Town of Easton  
Town Hall  
225 Center Road  
Easton, Connecticut 06612  
Attention: First Selectman

To the Town of Fairfield, Connecticut:

The Town of Fairfield  
Town Hall  
611 Old Post Road  
Fairfield, Connecticut 06430  
Attention: First Selectman

To the City of Milford, Connecticut:

The City of Milford  
City Hall  
Milford, Connecticut 06460  
Attention: Mayor

To the Town of Monroe, Connecticut:

The Town of Monroe  
Town Hall  
7 Fan Hill Road  
Monroe, Connecticut 06468  
Attention: Town Manager/First Selectman

To the Town of Orange, Connecticut:

The Town of Orange  
Town Hall  
617 Orange Center Road  
Orange, Connecticut 06477  
Attention: First Selectman

To the City of Stratford, Connecticut:

The City of Stratford  
Stratford Town Hall  
2725 Main Street  
Stratford, Connecticut 06497  
Attention: Town Manager

To the Town of Trumbull, Connecticut:

The Town of Trumbull

Town Hall  
5866 Main Street  
Trumbull, Connecticut 06611  
Attention: First Selectman

To the Town of Westport, Connecticut:

The Town of Westport  
Town Hall  
110 Myrtle Avenue  
Westport, Connecticut 06880  
Attention: First Selectman

To the Town of Woodbridge, Connecticut:

The Town of Woodbridge  
Town Hall  
11 Meetinghouse Lane  
Woodbridge, Connecticut 06525  
Attention: First Selectman

To the Committee:

c/o Connecticut Resources Recovery Authority  
100 Constitution Plaza  
6<sup>th</sup> Floor  
Hartford, Connecticut 06103  
Attention: President

12.6 Law Governing Construction of Agreement. The law of the State of Connecticut applicable to contracts made and to be performed in such State shall govern the construction of this Agreement.

\_\_\_\_\_

TOWN OF TRUMBULL

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

TOWN OF WESTPORT

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

TOWN OF WOODBRIDGE

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By

This Agreement has been approved by the vote of the legislative body of each of the following towns and cities:

Date of Approval  
By Legislative Body:

Town or City

\_\_\_\_\_

TOWN OF BETHANY

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

CITY OF BRIDGEPORT

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

TOWN OF EASTON

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

TOWN OF FAIRFIELD

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

CITY OF MILFORD

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

TOWN OF MONROE

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

TOWN OF ORANGE

By: \_\_\_\_\_  
Its: \_\_\_\_\_

\_\_\_\_\_

TOWN OF STRATFORD

By: \_\_\_\_\_  
Its: \_\_\_\_\_