

**CITY OF BRIDGEPORT
BUDGET AND APPROPRIATE COMMITTEE
REGULAR MEETING
APRIL 12, 2010**

ATTENDANCE: Angel dePara, Co-chair; Susan Brannelly, Lydia Martinez, Howard Austin, Sr.; AmyMarie Vizzo-Paniccia (6:12 p.m.)

STAFF: Thomas Sherwood, OPM; Michael Feeney, Art Lasky, Ben Barnes, Sandy Ayala, Registrar of Voters; Pat, Registrar of Voters Council Member Walsh (6:16 p.m.), Council Member Taylor-Moye (6:16 p.m.)

CALL TO ORDER

Council Member dePara called the meeting to order at 6:08 p.m. He then introduced the members of the Committee to those present.

REGISTER OF VOTERS

Mr. Sherwood directed everyone's attention to page 59 of the budget book. The budgets are basically the same and the only changes are the contractual salaries increases. Ms. Ayala explained that the budget concurs with the canvas and therefore the budget supplemental was finished after the budget book.

Council Member dePara asked Ms. Ayala to review what her department is mandated to do by the State. Ms. Ayala said now the Registrars Office performs many of the tasks that the Town Clerk used to handle. The Town Clerk continues to store the votes until the Registrar can pick them up.

Council Member Vizzo-Paniccia joined the meeting at 6:12 p.m.

Ms. Ayala said that in the packet of information, there is a list of items that the department maintains and is responsible for. There are 76,000 active voters and also about 35,000 people are inactive, but haven't been on inactive status for four years. After the fourth year, the Secretary of State purges them from the list. For 2006, the City has received a reimbursement from the Secretary of State, but those funds are not longer available. No one had any idea that all the machines could only be maintained by a certain company and this will cost \$200/per machine and this maintenance will need to be performed twice a year. There is enough funding in the budget to cover this.

Council Members Walsh and Taylor-Moye joined the meeting at 6:16 p.m.

Initially, when the new machines were provided by the State, the City received a total of 52 machines for the 26 precincts. One machine cannot handle all the ballots. Now the programming has to be divided into two batches and both machines have to be used. To comply with the law, the City had to lease two additional machines, at \$1,000 per machine. Now negotiations with LHS have been completed and the City has purchased the machines at \$3,500 per machine.

Council Member Walsh asked if the department had considered eliminating a precinct like to St. Paul's. Ms. Ayala said that Beardsley School did not meet the HAVA (Help America Voting Act) guidelines and that St. Paul's was the only venue. St. Paul's has rented out their facility, but there is a possibility that the Secretary of State may grant a waiver to use Beardsley School. Ms. Ayala said that this is short term and that once the redistricting is done; it may be possible to use the new schools. Council Member dePara said that he and Council Member Silva felt that it was important to have the voting places located in the precinct.

Council Member Brannelly asked about the \$25,000 for seasonal and temp employees and grants. Ms. Ayala reviewed the information listed on the second page of the handout. The funds cover the mechanics and machine testing, poll workers and the extra clerical help. Mr. Sherwood then reviewed the changes with Council Member Brannelly.

Council Member Silva also asked for clarification on whether the poll worker pay rate changes. Ms. Ayala explained that the rate doesn't change but there are some other changes because it depends on how many elections are held and the type of elections that are held. Some elections require a specific number of poll workers, regardless whether or not they are needed. Some of the elections are primaries and others are held when there are changes in legislative seats. Frequently, the poll workers are already trained and they come on later in the process.

Council Member Vizzo-Paniccia asked about what would happen if St. Paul's was not available. It was explained that it was important to stay within the boundaries of the precinct. As the time draws closer, the Council will be advised of any change in location. Council Member Martinez asked about building being leased. Ms. Ayala explained that the new pastor is not interested in leasing to the City. Council Member dePara said that both he and Council Member Silva were very grateful for all the interest in their precinct.

**** COUNCIL MEMBER AUSTIN MOVED TO ENTER THE HAND OUT AS #1 UNDER REGISTRAR AS VOTERS.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

CITY ATTORNEY

Mr. Sherwood directed everyone's attention to page 66 of the budget book. He said that there is no change in the staffing. In the Operating Expenses, Mr. Sherwood said that the health benefits decreased, but the overall expenses increased because of contractual obligations. Council Member Silva asked for clarification on vacancies. Mr. Sherwood said that there were two paralegals that were in the hiring process and were indicated on the last lines of Personnel on page 66.

Atty. Anastasi and Atty. Lasky came forward. Atty. Anastasi said that Atty. Lasky was the Deputy City Attorney and was prepared to discuss major pending litigation. The department provides legal services for the administration and provides services for both internal and external clients. He explained that the department does not totally control their workload, as they are subject to the courts and other entities. The department also performs collection work, such as back taxes for the WPCA, which was between \$700,000 and \$900,000. A major legal case is pending with Wheelabrator who has appealed their tax assessment.

Another area that the department works with is the quality of life issues, such as anti-blight efforts and condemnation. It is important to make certain that this is a revenue neutral effort. Also there has been a major effort to reduce the number of hours that the City uses an outside counsel. This would be found under the Legal Services account, which includes litigation service items like depositions, and other fees. The area where there has been the greatest reduction in outside legal counsel was where there was specialized expertise. Both Atty. Lasky and Bohannon were assigned to settle the outstanding cases. Most of them have been settled for less than the figures that were on the table. The areas that need outside expertise are the tax areas and the environmental law. The hourly rate is now down well below \$200.00/hour. There are only a handful of cases that are outside of the staff.

ABACUS software has been used in the department and allows the department to generate reports and has improved management in the office. It also allows the staff to indicate what stage a case is at currently, particularly if an attorney is out of the office. Atty. Lasky said that all the staff can access the files and this helps serve the end users who are the residents. The tracking ability helps, along with the monitoring of outside cases. This monitoring includes billing.

Atty. Lasky said that there are 29,000 files out at the office at any given time, many of them are foreclosures, some of Board of Education, and the remaining are police, fire or any other department that has requested legal counsel. Approximately 35 new files a week are opened. Most of the work is focused on labor issues, such as the Guardians. The outside counsels are used when there are conflicts of interest or areas of specialty law.

Council Member Brannelly asked what the historical number of cases for outside counsel. Atty. Lasky said that in the last year, ten or 15 had been taken back for inside counsel work. Council Member Brannelly asked about the decreases in the costs. Mr. Sherwood said that there was no way to manage and track the outside firm's work. One major case was the Police case, which was brought back in house and then settled. Mr. Sherwood then reviewed how the system now works and the analysis that is performed on all the cases.

Council Member Brannelly asked about the million dollars that was requested. Atty. Anastasi said that now the City was working closely with the Board of Education to reduce costs. The department is looking to insure that there is adequate labor counsel so that as much of that work can be brought in house as possible. Most of the Board's issues are labor orientated. Atty. Anastasi said that he wanted to be on the safe side in terms of budget, but didn't expect to get it. He added that there are a few cases that are coming down the pike that will require expertise and the expenses associated with the litigation, such as the Wheelabrator case. Council Member Brannelly asked if the Board of Education has their own legal counsel. Mr. Sherwood said that they do. He added that the dialog was ongoing with the Board of Education.

Council Member Vizzo-Paniccia asked about the courthouse parking garage and the ice skating rink and whether cases were settled. 98% of the settlement work for Wonderland is done, and Baldwin Park is in process. The State and the judges had to approve the proposed repairs before the RFPs could go out.

Council Member Vizzo-Paniccia thanked Atty. Lasky for joining the staff and running the department like a business. She said that the Council has been asking for accountability and someone to stop the hemorrhage of money.

Council Member Baker asked for a break down on Outside Legal Services and other services. He then asked about the new system and whether it would be able to generate a break down of what is being spent on each case. Atty. Anastasi said that there were regular reports that were generated that relate to outside legal counsel. Between Mr. Sherwood's office and the department, there should be a greater ability to provide the information to the Council Members as needed. Council Member Baker asked about if the staffing would be increased solely for the Board of Education and how this would be broken out in the budget. Atty. Anastasi said that the City already provides a significant amount of service to the BOE regarding personal injury, assaults and other issues. The BOE currently spends hundreds of thousands of dollars a year on labor issues. By having someone in house, there can be a partnership approach and hopefully a return on investment. The BOE is also trying to cut costs by working with Labor Relations.

Council Member dePara said that there had been a discussion about having regular updates on the status of the budget throughout the year. He then said that it might be

good to have an update on the major litigation cases and the outside cases in progress included.

Council Member dePara asked if the ABACUS software was proprietary. Atty. Lasky said that it was about a few thousand dollars a year.

Council Member Walsh said that the public perceives that the City is throwing money away on outside counsel. He added that in the past, Atty. Anastasi had said that he did not know where the flow of money was coming from or going to. Mr. Sherwood said that the new MUNIS system has better tracking and the legal services can be isolated for tracking. Council Member Walsh said that when cases come to Miscellaneous Matters, the settlement funds are not clearly identified. Mr. Sherwood said that the funds should come from Personal Settlements, unless it is Board of Education. Mr. Sherwood said that now the budget has a structured settlement plan. Council Member Walsh asked about a rumor that an employee was terminated with a six month severance package. Atty. Anastasi said that there was an employee that was resigning. Council Member Walsh asked if there is a policy regarding severance package reviewed by the Council. Atty. Anastasi said that most of the severance packages were not reviewed by the Council.

Council Member Vizzo-Paniccia said that she was glad to know that the Budget chairs will be having regular budget updates. She added that she hoped that the ABACUS system would have tracking for severance issues. Atty. Anastasi said that by working on the policies, it has become evident that purchasing and FOI requests do not have to be handled by the Legal Department. By designing good policies, the staff should be able to respond to the requests without legal involvement unless needed. He added that having the paralegals would be helpful with the Board of Education issues.

Council Member Martinez asked if there had been discussions about preventing some of the problems like potholes and other issues. Atty. Anastasi said that the new software should allow the department to identify and monitor the types of cases, such as fire trucks or snow plows hitting a parked car. It will allow the department to manage the services and also look at other departments that have issues, such as a particular police officer or DPW worker that repeatedly has cases.

Council Member Brannelly asked for a line by line review of the Settlements budget. Mr. Sherwood and Atty. Anastasi then did so. In the event that a judgment is handed down where the settlement exceeds the amount in City Attorney's budget, Mr. Sherwood said that he would then look to the individual department, such as the Police or Fire, for the funding and transfer it into the City Attorney's account. That way, it keeps all the payments within the City Attorney's. Council Member Baker asked whether it would be wise to have individual line items in the various departments. Mr. Sherwood said that this had been considered, but if there was a serious case where there was a budget of 1 million and the judgment or settlement came in at 1.5 million. Atty. Anastasi explained

that since there was no way to predict what or where the cases would happen, that would end up with fifteen or twenty line items that would have to be reconciled. Council Member Baker asked about if an employee repeatedly had motor vehicle accidents, it would put pressure on the department head to manage it more effectively. Atty. Anastasi said that with the new software, it is easier to analysis the data to determine where the problem areas are.

RECESS

Council Member dePara declared a recess at 7:45 p.m. The meeting reconvened at 8:00 p.m.

Council Member Taylor-Moye left the meeting at 8:00 p.m.

City Attorney said that he wanted to say that it would be good to see the Council members more than once a year regarding budget issues. He then asked if there was anyone who had any further questions. Council Member Silva said that he had some questions regarding an upcoming case.

EXECUTIVE SESSION

**** COUNCIL MEMBER SILVA MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Committee, Council Member Baker, Council Member Walsh, Mr. Feeney, Mr. Sherwood, Attorney Anastasi and Attorney Lasky entered into Executive Session to discuss pending litigation at 8:02 p.m.

Council Member Baker left the meeting at 8:30 p.m.

The Committee and Council Members reconvened into public session at 8:40 p.m.

There was a brief discussion about the Board of Education cases that the City Attorney's Office monitors and gives inputs on various cases.

**** COUNCIL MEMBER BRANNELLY MOVED TO ENTER THE COPIES OF THE 5 YEAR CAPITAL PLAN, BRIDGEPORT PUBLIC SCHOOLS PROPOSED CAPITAL BUDGET 2010-2011 INTO THE RECORD.**

**** COUNCIL MEMBER MARTINEZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Ben Barnes, the Director of the Buildings and Operational Planning for the Bridgeport Board of Education came forward. He said that what he passed out was something that was voted on February 8, 2010.

Mr. Barnes said that when the Mayor's budget had originally been released, it did not include Harding High School in any of the projects, but the Mayor had decided to add Harding to the Capital projects because of the condition of the building. Mr. Barnes said that it is known that high school enrollment is declining. Council Member dePara asked about the fact he had been told that the high schools were overcrowded. Mr. Barnes said that this was so, particularly at Harding, but that with the new magnet school being built, there would be 1,000 seats for Bridgeport students. This would decrease the number of students at the other three high schools.

Council Member Vizzo-Paniccia asked if this was the building that would be in Trumbull and pointed out that Trumbull was opposed to the project. Mr. Barnes said that he was assuming that the building would be approved and built. Council Member Martinez said that she was told there would only be 400 seats for Bridgeport students. Mr. Barnes explained that there would only be one grade introduced at the new school per year.

Regarding Harding, with the new school coming on line, Harding does not need to be enlarged, so that it can be replaced on the site. This would reduce the cost tremendously and Harding could then be funded by local bonding. He then reviewed the timeline, which could result in occupancy in 2015 by the Bridgeport students. Council Member Martinez said that she had concerns about remediation and having the students in the facility. Mr. Barnes said that it was too early to discuss how this project would be done.

Council Member Walsh said that he figured that the Central and Harding would be 16 million on the Mayor's budget but there was a different number on the Board of Education document. Mr. Barnes then reviewed the figures with Council Member Walsh. Council Member Walsh asked about the difference in the figures between the Black Rock School addition and renovation as compared to the replacement of Harding High School, particularly since Black Rock's work was higher. Council Member Brannelly said that one issue at Black Rock was the fact that it would also include property acquirement and upgrading the old building, such as adding elevators. Council Member Vizzo-Paniccia said that at Harding, the City already owns the property. Council Member Silva said that Harding was the Health Magnet School, and asked if the Board had spoken to Bridgeport Hospital, which is now part of Yale about cooperative efforts. Mr. Barnes said that there have been some preliminary discussions, but that Bridgeport Hospital was already very tight on its site, also. He said that everyone is working on something that would benefit both the hospital and the high school.

Council Member dePara said that in the last few weeks, the Council Members have heard a great deal about the conditions at Harding. He then asked what the Public Facility

department was doing to improve the conditions at Harding. Mr. Barnes said that there were some projects underway right now, such as removing lockers that were destroyed, and a few other items since the school was on school break. Council Member dePara said that he heard several speakers on this, and would like to know what could be done for easy fixes. Mr. Barnes said that one issue was that without the Board and Administration taking any additional action, the Board would end up with an \$800,000 deficit. Currently, the administration is working on scrubbing the unused funds in the various accounts. Council Member dePara said that there were several items, such as the bathrooms and the water fountains, that were mentioned and he would like to know if these were being addressed. Mr. Barnes said that there was no questions about the issues at Harding, and he mentioned that one bathroom had been repainted and within about 60 days, the walls were covered with graffiti. He said that while everyone realizes that dealing with things like graffiti quickly was important, and the custodians were working to make it a clean place. Council Member Martinez said that the parents and the community were not going to let go of this issue quickly and the parents were becoming frustrated. Mr. Barnes said that he hoped that the Council would support the BOE in trying to get a new building for Harding and deal with the aging building in the meantime.

Council Member dePara said that there had been some changes in the budget meeting schedule and that a new budget meeting schedule would be presented soon. Council Member Silva said that with the Mayor adding the replacement of Harding, he would like to know what that would do to the debt service. Mr. Sherwood said that this still has to go to the State and receive approval. Once that happens, new projections can be done.

Council Member Vizzo-Paniccia said that she appreciated the information Mr. Barnes presented and it helps the Council Members explain these issues to the residents and parents.

ADJOURNMENT

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ADJOURN.
** COUNCIL MEMBER MARTINEZ SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

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