

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
FEBRUARY 23, 2005**

ATTENDANCE: Thomas McCarthy, Chair; Ed Gomes, Carlos Silva,
Marilyn Santacroce, Robert Curwen

STAFF: Mark Anastasi, City Attorney; George Estrada,
Melanie Howlett, Associate City Attorney;
Robert Tetrault, Tax Collector; M. Feeney, Chief of Staff;
Nancy Hadley

OTHERS: Thomas Mulligan, Robert Walsh

CALL TO ORDER

Mr. McCarthy called the meeting to order at 6:10 p.m.

30-04 Proposed new ordinances Sec.3.16.170 re: withholding of building permits due to delinquent payments

Attorney Anastasi stated that Attorney Howlett should arrive at the meeting shortly. Mr. McCarthy passed the ordinance around for item 30-04. Ms. Pivrotto stated that reading the TQM report on one-stop permits inspired this ordinance. She said that taxes had to be up to date before permits were issued. The enhanced revenue is well liked. This could result in an additional \$125,000.

**** MR. CURWEN MOVED APPROVAL OF ITEM 30-04.
** MS. SANTACROCE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

Mr. McCarthy stated that he wanted to hear from Attorney Anastasi. Attorney Anastasi said there had not been any written opinion given. He stated that he had spoken to Russell, who had been in contact with Stamford. Attorney Anastasi affirmed that he had done some research and came up with a statutory basis. He read 12-146A re: personal property taxes, into the record. He said they were talking about personal property and operating businesses. There is no doubt that there is an appropriate statutory basis. This should be forwarded for a public hearing. Attorney Anastasi said he did not get the notice until yesterday's meeting. He stated that there should not be any problems. Mr. Tetrault stated that the towns of Fairfield, Stratford, and New Haven all do this.

Ms. Hadley stated that she was in support of this and it should go to public hearing. She said this was an issue of a homeowner looking to make some changes. She stated that she

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understood there was no provision for hardship. Ms. Hadley said she was concerned about the homeowners on the margin regarding deferred rehab. She said she was unsure of how big this issue is. Attorney Anastasi asserted that there had been preliminary conversations between Russell and Peter. He said he did not think there should be a hold up at the public hearing. There is a mandatory obligation to issue permits and the specific statutes supersede. Ms. Hadley said this was simple from an administrative standpoint.

According to Ms. Pivirotto, computer systems check permits in Norwalk. She said they did not have to go to the equivalent of the tax collector's office. Attorney Anastasi asked where the public hearing would be held. Mr. McCarthy said he preferred it to be at the committee meeting. Attorney Anastasi said an issue of absences would be a problem faced. He told Mr. McCarthy that he might miss both upcoming meetings. Mr. McCarthy said he would like to approve this item at a committee level. Mr. Curwen said this item could be approved tonight and eventually be amended. He said he did not want to hold up the public hearing. Mr. McCarthy said they should set up a council meeting before the next ordinance committee meeting.

Mr. Walsh stated that there was an issue of planning and zoning. He said that back taxes and WPCs must be paid before final approvals are made. This may be six months to a year. Attorney Howlett said the office of Planning and Zoning needs to be petitioned in order to amend its regulation to make a condition. She said they have their own statutes. Ms. Pivirotto stated that business licenses for hair, nails, and restaurants would also be considered. Attorney Howlett agreed. On behalf of the Mayor, Mr. Estrada commended the committee for bringing this item forward. He said he had hoped this would be moved forward tonight to the full council and eventually approved. Mr. Tetreault added that the legislation is very specific to building permits. Licenses will be blocked if taxes are not paid.

**** MR. CURWEN MOVED APPROVAL OF ITEM 30-04 PENDING FINAL DOCUMENTATION AT THE NEXT ORDINANCE MEETING AND SCHEDULED PUBLIC HEARING, WHICH WILL BE SET BEFORE THE NEXT COUNCIL MEETING ON MARCH 7, 2005.**

**** MS. SANTACROCE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

40-04 Proposed amendments to Municipal Code Chapter 8.76 Anti-Blight Program

Attorney Howlett stated that this has been a program that has been in effect for a very long time. She said the fines would take place. Referring to page 2 8a of the ordinance regarding the 4 main conditions, Attorney Howlett said the point was to do what is done with unlawful depository. People will be fined for putting bulk trash outside. This is only designed to deal with sidewalks. Attorney Howlett stated that the existing program is currently being tweaked. Leans will be implemented if fines are not paid. She stated that they were trying to fill in an existing loophole. There are also several empty parcels. Mr. McCarthy stated that this item was very important to him. He said that 90% of the phone

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calls he receives are blight issues. He said they needed to go through the process regarding abandoned properties.

Attorney Howlett said she would get information to Nancy Hadley or anyone with statutory authority. She said they could be from the housing department or zoning enforcement, etc. to enter on to private property and inspect. She said people could also be required to abate. Referencing the top of page 5 on the ordinance, Attorney Howlett said there was specification on when they could go in and rehabilitate the property. There are several different ways. She said permission by the property owner is the best way. One can also see whether or not something is declared to be a public nuisance. Attorney Howlett said they needed to make sure that they have the right paper trail. She stressed that there needed to be someone with a statutory right to be on a private property. A court order can also be obtained for purposes of cleaning up a property. The goal would be to find out about re-use and make plans to flip the property.

Ms. Santacroce asked if there was a time frame on this. Attorney Howlett said there were no time frames, but they wanted flexibility to make it 30 or 60 days. She said different situations are applied to different properties. Attorney Howlett said they could work with property owners in order to give them a chance to rehabilitate. Mr. Curwen asserted that lawyers always look for a time frame to give a person an opportunity to rehabilitate their property. Ms. Hadley said the Condemnation Board has no specific time frame in the statute. The extent of work to be done has negotiations. She referenced page 4, anti-blight and administrative procedures. Ms. Hadley stated that this was a case management issue. They did not have the right people to create a clear set of strategies. There is a hearing officer who is an important part of this process. There is supposed to be an administrative appeal. Mr. Mulligan asked whether it could be a city employer. Attorney Howlett said yes. She said a hearing procedure preexists and all new language is underlined and in black print.

Mr. Silva asked if things would be complicated if a time frame was implemented. He said there was already something in the statute for condemnation. He asked whether a time frame should be implemented in order to be doubly secured. Attorney Howlett told Mr. Silva that she saw his point. According to her, when they commence foreclosure, there is a notice that says a person has so many days to initiate contact. She said they could add a 30-day time period if there has been no response.

Mr. Curwen respectfully asked Attorney Howlett how long she has been working for the city. She said 5 ½ years. Mr. Curwen said that he had put a similar ordinance into place, which was kicked to the curb 4 years ago. He said it was ironic how one set of attorneys said this ordinance could not be done and now this administration is for this plan.

With regard to the dumpsters, Mr. Walsh stated that he was picturing the roll-offs. He said garbages would be filled and left for months. Attorney Howlett stated that this ordinance would cover this and referenced page 2 item #3. Mr. McCarthy told Mr. Walsh that item #3 should cover his issues. Attorney Howlett said the dumpster issue is pretty much covered under item #3. Mr. Walsh stated that these were not construction projects,

but a matter of people cleaning out their own garbage. Ms. Hadley said she would construe this as clean up. Mr. Walsh said there has not been bulk pick up in a long time. Attorney Howlett said more wording could be added to item #3 if the committee wished to do so. She suggested having item #3 on page 2 read as follows:

3. “No dumpster or other refuse container usually used on a construction site may be kept in a residential area unless a construction or improvement project, which may include the disposal of household items, is to commence within two (2) weeks of the installation of a dumpster or it has been within two (2) weeks of the completion of the project, not to exceed 30 days. A permit is required from the Director of Public Facilities for the placement of a dumpster for the purpose set forth in item 3, above, in the public right of way. The Enforcement Officer may take into account other information it deems relevant in determining whether a dumpster is improperly placed, including the residential.”

Mr. Mulligan asked whether there is a monthly fee for dumpsters. Attorney Howlett said there is a weekly fee. Attorney Howlett suggested a change in the wording on page 4 item 1a, last sentence to read as follows:

“The development administrator, within 30 days, shall work with the city attorney to convert the fines to liens and initiate foreclosure or institute legal proceedings to collect the fines.”

Ms. Santacroce questioned whether or not the city owns a lot of the blighted areas. Attorney Howlett said it was a matter of cleaning up the properties the city does not own as opposed to cleaning up the ones that it does own.

**** MR. CURWEN MOVED TO APPROVE THE PRELIMINARY DOCUMENT WITH THE AMENDMENTS MADE TO PAGE 2 SECTION A #3, FOR A TOTAL TIME FRAME “NOT TO EXCEED 30 DAYS”, AND PAGE 4 B1a., THE ADDITION OF “WITHIN 30 DAYS” AFTER “THE DEVELOPMENT ADMINISTRATOR” AND SENT IT TO A PUBLIC HEARING IMMEDIATELY PRECEDING THE NEXT COUNCIL MEETING.**

**** MR. SILVA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

41-04 Proposed amendments to Municipal Code Chapter 15.12: Amended Section 15.12.410 Board of Condemnation Continued.

Attorney Howlett stated that this was a proposal to establish consistencies between memberships. Mr. Curwen questioned the impact of proposed changes on the budget next year and the impact of not having potential. With regard to the code enforcement officers, Ms. Hadley said she expected this to be the last year of community development block grant. She said there was a question of how the necessary code enforcement would be

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handled. She stated that she did not expect to receive the \$4m they have been getting over the past few years if the program goes away. With regard to the language requiring the assistance of other city staff members, Mr. Mulligan questioned whether or not there would be limitations. Attorney Howlett said she was specifically asked to request a city housing code enforcer. Mr. Mulligan stated that the police department, zoning department, planning department, building department, housing code enforcement officer, health department, and the city attorney's office should all be included. Mr. Feeney questioned what would happen if assistance is requested from someone who was not named. With regard to section 15.12.410, Attorney Howlett suggested adding the work "not" in between "but" and "limited."

**** MR. CURWEN MOVED TO APPROVE THE AMENDMENT TO ITEM 41-04, ADDING THE WORD "NOT" IN BETWEEN "BUT" AND "LIMITED" AND TO ORDER A PUBLIC HEARING.**

**** MR. GOMES SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MR. GOMES MOVED APPROVAL OF ITEM 41-04.**

**** MS. SANTACROCE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

As there was no further business to discuss, the meeting adjourned at 7:20 p.m.

Respectfully Submitted,

Michelle Joseph
Telesco Secretarial Services

**CITY of BRIDGEPORT
ORDINANCE COMMITTEE
MARCH 7, 2005**

ATTENDANCE: Councilmember's: McCarthy; Chairman, Silva, Gomes, Santacroce

CALL TO ORDER

The Chairman called the meeting to order at 6:44 p.m.

PUBLIC HEARING

Amendments to the Municipal Code Chapter 3.16: New Section 3.16.170 Building permits to be withheld due to delinquent taxes and user fees.

The Chairman asked if there was anyone present to speak in favor of the application.
The Chairman asked if there was anyone present to speak in favor in opposition of the application.
Hearing none, he closed the public hearing.

Amendments to Municipal Code Chapter 8.76: Anti-Blight Program

The Chairman asked if there was anyone present to speak in favor of the application.
The Chairman asked if there was anyone present to speak in favor in opposition of the application.
Hearing none, he closed the public hearing.

Amendments to Municipal Code Chapter 15.12: Amended Section 15.12.410 – Board of Condemnation
Continued.

The Chairman asked if there was anyone present to speak in favor of the application.
The Chairman asked if there was anyone present to speak in favor in opposition of the application.
Hearing none, he closed the public hearing.

City of Bridgeport
Ordinance Committee-Public Hearing
March 7, 2005

ADJOURNMENT

- ** COUNCILMEMBER McCARTHY MADE A MOTION TO ADJOURN
- ** COUNCILMEMBER SILVA SECONDED
- ** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 6:46 p.m.

Respectfully submitted by,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
Ordinance Committee-Public Hearing
March 7, 2005

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
SPECIAL MEETING
APRIL 11, 2005**

ATTENDANCE: Thomas McCarthy, Chair; Anderson Ayala; Bob Curwin;
Thomas Freer; Edwin Gomes; Keith Rodgerson;
Marilyn Santacroce; Carlos Silva

OTHERS: Robert Walsh, Councilmember; Mark Anastasi, City Attorney;
Brian Williams

Mr. McCarthy called the meeting to order at 6:38 p.m.

AGENDA

**55-04 PROPOSED AMENDMENTS TO MUNICIPAL CODE CHAPTER 3.28
URBAN ENTERPRISE ZONE**

Mr. McCarthy said that the city has had an Enterprise Zone since the 1980's. Before the Committee tonight is an update to the ordinance.

- ** MR. CURWIN MOVED TO APPROVE THE PROPOSED
AMENDMENTS TO MUNICIPAL CODE CHAPTER 3.28 URBAN
ENTERPRISE ZONE**
- ** MR. SILVA SECONDED**
- ** MOTION PASSED UNANIMOUSLY**

**285-03 PROPOSED NEW ORDINANCE CREATING AN ANIMAL CONTROL
COMMISSION**

Mr. Rodgerson read the mission statement of the proposed Animal Control Commission. He Commission would consist of seven people and would be bi-partisan. The Committee members made recommendations to the mission statement.

Attorney Anastasi said that he had no problem with the mission statement; however, it does not address Associate City Attorney, Melanie Howlett's concerns. The State Statute states that Animal Control must be done through the Police. Mr. Curwin said that he has been involved with the Animal Shelter and it is deplorable. He has fought for years to get a new shelter, but in all of his dealings with the shelter, the Police have not been sensitive to the needs of the animals in the shelter.

Attorney Anastasi said that everyone is aware that there are plans to construct a new facility. Mr. Gomes said that if the City is going to have a new animal shelter, but there are deplorable conditions, what they can do to make it right. He said that he wants to see the animals treated right.

Mr. McCarthy asked if it would be possible for them to work with Mr. Rogerson's proposal or can the Police Commission create an Animal Control Commission. Attorney Anastasi said that they could make a sub-committee. Commission, boards and agencies can only be created by State Statute. He suggested that the Committee recognize that there are concerns and engage in a dialogue with the new Police Chief.

Mr. McCarthy asked the members of the public to introduce themselves. Ms. Susan Waters, represented the Humane Society. She said that she met with the new Police Chief and they have made strides at the shelter and thanked him for that. She said that Milford has had an Animal Commission for over a decade and explained what they do.

Ms. Esther Meckler, representing SPAY, USA said that she works with communities throughout the United States.

Attorney Anastasi said that the City has a group of Volunteers that work with the shelter to provide services for the animals.

City Council President, Mr. Ayala said that he supports this proposal and it ought to be done. He said that he hopes that the Committee and the City Council will get behind this and support it.

Mr. Gomes asked how Milford was able to have an Animal Control Commission and not Bridgeport. Attorney Anastasi said that it depends upon their charter.

**** MR. GOMES MOVED TO TABLE THE ITEM**
**** MR. CURWIN SECONDED**
**** MOTION PASSED UNANIMOUSLY**

The meeting was recessed at 7:05 p.m. to attend the City Council meeting.

The meeting resumed at 7:50 p.m.

57-04 PROPOSED AMENDMENT TO MUNICIPAL CODE NEW SECTION
10.12.130 DELINQUENT PARKING TICKET LIMITED AMNESTY

Mr. Brian Williams explained the bootfinder program. He said that they would like to announce to the public that there is an amnesty for parking tickets. He said that there is over \$4.5 million dollars in outstanding parking tickets.

Mr. Silva asked if there were any legal issues that they should be aware of, such as “snowbirds” who do not live in Bridgeport for six months at a time. Attorney Anastasi said that there would be a generalized, reasonable public notice. He said that it is a forgiveness of the penalty part of the ticket. No individualized notices will be sent out to people.

- ** **MR. CURWIN MOVED TO APPROVE THE PROPOSED AMENDMENT TO MUNICIPAL CODE NEW SECTION 10.12.130 DELINQUENT PARKING TICKET LIMITED AMNESTY**
- ** **MR. SILVA SECONDED**
- ** **MOTION PASSED UNANIMOUSLY**

64-04 REQUEST FOR WAIVER OF SIDEWALKS REQUIREMENTS TO ERECT A STATUE OF AN ELEPHANT

Mr. McCarthy said that he did not believe that it was appropriate for this item to come before this Committee.

Attorney Anastasi said that this ties in with the discussion about forming a City Council Rules Committee. This item was not submitted by an Alderperson. The general public should not have the capacity to put something on the agenda.

Mr. Curwin recommended sending the item to Parks and Recreation. Mr. McCarthy said that he was not comfortable with this item being before this Committee.

- ** **MR. CURWIN MOVED TO DEFEAT THE ITEM ON SUBSTANCE**

Mr. Curwin cautioned the Committee to look at the history of the City of Bridgeport and P.T. Barnum. He said that he would not want to be responsible for erecting a statue of an animal that goes against P.T. Barnum.

Mr. Gomes said that they were talking about putting this in front of People’s Bank and suggested that they approach People’s Bank.

- ** **MR. GOMES SECONDED**
- ** **MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:15 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

**MINUTES
CITY of BRIDGEPORT
ORDINANCE COMMITTEE
APRIL 18, 2005**

PUBLIC HEARING

Council member Andres Ayala announced that the Ordinance Committee meeting was scheduled for tonight, April 18, 2005, at 6:00 p.m. but there was no quorum. The meeting will be rescheduled.

Respectfully submitted,

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE PUBLIC HEARING
MAY 2, 2005**

ATTENDANCE: Thomas McCarthy, Co-Chair; Ed Gomes; Robert Curwen; Marilyn Santacroce; Andres Ayala

AMENDMENTS TO MUNICIPAL CODE CHAPTER 3.28

Co-Chair McCarthy opened the public hearing at 6:07 p.m. There being no one from the public wishing to speak in favor of or in opposition to this item,

- ** MR. CURWEN MOVED TO CLOSE THE PUBLIC HEARING ON AMENDMENTS TO MUNICIPAL CODE CHAPTER 3.28 URBAN ENTERPRISE ZONE AT 6:07 P.M.**
- ** MR. GOMES SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

AMENDMENTS TO MUNICIPAL CODE NEW SECTION 10.12.130

Co-Chair McCarthy opened the public hearing at 6:08 p.m. There being no one from the public wishing to speak in favor of or in opposition to this item,

- ** MR. CURWEN MOVED TO CLOSE THE PUBLIC HEARING ON AMENDMENTS TO MUNICIPAL CODE: NEW SECTION 10.12.130 DELINQUENT PARKING TICKET LIMITED AMNESTY AT 6:08 P.M.**
- ** MR. GOMES SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. SANTACROCE MOVED TO ADJOURN.**
- ** MR. GOMES SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 6:10 p.m.

Respectfully submitted,

Carol A. Graham for
Telesco Secretarial Services

CITY of BRIDGEPORT
ECONOMIC and COMMUNITY DEVELOPMENT
and ENVIRONMENT and ORDINANCES COMMITTEE'S
JOINT MEETING
MAY 4, 2005

ATTENDANCE: Councilmember's: McCarthy, DePara, Valle, Santacroce, Andres Ayala, Paoletto, Gomes, Pivrotto, Silva, Curwen

CALL TO ORDER

Councilmember McCarthy called the meeting to order at 5:55 p.m.

PUBLIC HEARING

91-04(a) Proposed New Ordinance Ch. 8.78 Hollow Neighborhood Revitalization Zone

91-04(b) Hollow Neighborhood Revitalization Zone Plan Resolution

Ms. Sabine Kuczo, of Planning/OPED approached. She introduced the Planning Committee persons present: Mary Green and Paul Mendis.

Ms. Kuczo expressed that ten years ago the first ECD was created in the Hollow, but it was difficult to do anything there. But with the help of two councilmen in the district they have been able to move forward.

Ms. Lynn Haig, of Planning/OPED said the Mayor's focus has been removing blight from the city and the Hollow was chosen first. She said that since April of last year, the city's Planning Department has been working with the Hollow to devise the neighborhood revitalization. The plan is to allow NR-Zone to be created, but this needs to be approved through an ordinance by the city. The two key issues involved are:

1. They need to approve the plan that already went through three public hearings and is supported by the neighborhood.
2. They need to approve the proposed ordinance.

She distributed copies of the ordinance.

Councilmember Valle asked what streets the NR-Z would apply to. Ms. Kuczo said it would include North Avenue, Main Street, Washington Avenue and Park Avenue.

City of Bridgeport
Economic and Community Development and Environment
Ordinance Committee
Joint Meeting
May 4, 2005

Councilmember Valle asked if the NR-Z would include the Columbus School area. Ms. Kuczo said yes.

Councilmember Paoletto commented that through both capacities in the city, people have spent a lot of time on this matter and he wholeheartedly supported the ordinance.

Councilmember Silva agreed with Councilmember Paoletto in that the ordinance was supported and a lot of hard work was done. He said it was supported by the people that lived in the Hollow.

Councilmember DePara stated that he was also part of the Planning sub-committee for the Hollow Redevelopment. He expressed that it is a big tool that will help the neighborhood get back to where it used to be. And the plan will drive success in the area. He further stressed that it would be unjust if the ordinance was not fully endorsed by the City Council. He noted that voting for the ordinance would initiate a ripple effect throughout the City of Bridgeport; so he fully endorsed it.

**** COUNCILMEMBER DEPARA MOVED TO APPROVE 91-04(a) AND 91-04(b) ORDINANCES ON BEHALF OF THE ECDE COMMITTEE**
**** COUNCILMEMBER VALLE SECONDED**
**** MOTION PASSED UNANIMOUSLY WITH A VOICE VOTE BY COUNCILMEMBERS: DePARA, VALLE, McCARTHY, PAOLETTO, PIVIROTTO**

Councilmember Gomes expressed that he was in full support of the ordinance.

**** COUNCILMEMBER GOMES MOVED TO APPROVE 91-04(a) AND 91-04(b) ORDINANCES ON BEHALF OF THE ORDINANCE COMMITTEE AND THAT A PUBLIC HEARING BE SCHEDULED BEFORE THE NEXT CITY COUNCIL MEETING**
**** COUNCILMEMBER SILVA SECONDED**
**** MOTION PASSED UNANIMOUSLY WITH A VOICE VOTE BY COUNCILMEMBERS: GOMES, SANTACROCE, SILVA, McCARTHY**

City of Bridgeport
Economic and Community Development and Environment
Ordinance Committee
Joint Meeting
May 4, 2005

ADJOURNMENT

- ** COUNCILMEMBER McCARTHY MOVED TO ADJOURN
- ** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 6:10 p.m.

Respectfully submitted by,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
Economic and Community Development and Environment
Ordinance Committee
Joint Meeting
May 4, 2005

CITY of BRIDGEPORT
ORDINANCE COMMITTEE of the CITY COUNCIL
MAY 16, 2005

ATTENDANCE: Councilmember's: McCarthy, Gomes, Curwen, Silva, Santacroce

CALL TO ORDER

Councilmember McCarthy called the meeting to order at 6:08 p.m.

PUBLIC HEARING

1. Amendment to the Municipal Code of Ordinances: new chapter 8.78 Hollow Neighborhood Revitalization Zone

The Chairman asked if there was anyone to speak in favor of the amendment

- Councilmember DePara, of 58 Hill Street stated he was present to speak on behalf of the Hollow Redevelopment. He expressed that he has worked on the project in conjunction with the committee for 1 ½ years. He further stated the redevelopment was a tool that will empower the neighborhood and bring in things that are needed. He urged approval of the amendment.
- Paul Mendez, of 73 Frank Street said he worked with the Hollow Revitalization Committee for the past year. He expressed there was a great concern in bringing back the area to its former housing state. He noted the concerns of making Bridgeport how it has always been. He said that as a member of the committee, he would like to work with the city on bringing back a renaissance.
- Joan Stewart, a resident of Olive Street stated that the area needed revitalization and it's a need for the city. She urged City Council approval, expressing that the children need something that's vital. She further expressed that there's an attitude that no one cares, so it would be good to show them otherwise.
- Sonia Moncreve, of 160 Milne Street stated that they waited ten years to see the Hollow Revitalization pass. She expressed that she was looking forward to seeing a better neighborhood for the children.
- Angelica Fontanez, of 306 Center Street stated that when she became involved in the Hollow Redevelopment, the goal was to make it cleaner and safer for children. She hoped that everyone working together could meet certain goals and that the ordinance would help that endeavor.

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- Joanne Jakab, of 105 Elmsford Road stated that she lived in the Hollow. She said that she served as President of the Hollow Development Corporation. She expressed that the intention was to improve the quality of life in the neighborhood by cultural, educational and economical means. And she believed this could be achieved through partnerships. She urged passed of the ordinance noting it would be huge victory for all.

The Chairman asked if there was anyone to speak against the amendment

Hearing none, he closed the public hearing.

ADJOURNMENT

- ** COUNCILMEMBER CURWEN MOVED TO ADJOURN
- ** COUNCILMEMBER SILVA SECONDED
- ** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 6:16 p.m.

Respectfully submitted by,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
Ordinance Committee
May 16, 2005

CITY of BRIDGEPORT
ORDINANCE COMMITTEE of the CITY COUNCIL
MAY 24, 2005

ATTENDANCE: Councilmember's: McCarthy, Gomes, Curwen, Silva, Santacroce

OTHERS PRESENT: Councilmember's: Andres Ayala, Mojica, Mulligan, Valle, Walsh

CALL TO ORDER

Councilmember McCarthy called the meeting to order at 6:02 p.m.

Approval of Minutes

February 23, 2005

March 7, 2005

April 11, 2005

May 2, 2005

May 4, 2005

** COUNCILMEMBER CURWEN MADE A MOTION TO APPROVE
** COUNCILMEMBER SANTACROCE SECONDED
** MOTION PASSED UNANIMOUSLY

65-04 Proposed amendments to Municipal Code Chapter 10.16 Parking Meters: Amended Section 10.16.050 Fee

Mr. Brian Williams reviewed this item. He said the ordinance had not been updated for a long time. He reviewed the new language that should apply. He stated the way the ordinance was adopted, is that there is one meter bag per permit. But if there is a crew of more than three trucks, they were required to unload each truck. He thought it would be better to allow the trucks to use as many spaces as needed. There was some discussion regarding 2-hour spaces.

Councilmember Andres Ayala said he understood all the work being done in downtown and the need for space. But he expressed that as a council member, he thought the monthly fee needed to be addressed.

Mr. Williams explained that if they need to put a dumpster in the street, they need a DPW permit that costs \$10.00 per month. Councilmember Gomes questioned the fact that for \$10.00 per month, 22 feet of curb could be tied up for a month. Mr. Keogh said that was correct.

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Ordinance Committee
May 24, 2005

Councilmember McCarthy asked if that was meter space. Mr. Keogh said if they're parked at a meter, they could impose a fee of \$12.00 per day.

Councilmember Curwen asked about the PFM study and if they looked at the issue of realigning fees. Mr. Williams said it wasn't done for dumpsters. But he said if it was recommended, they could do that.

Mr. Keogh mentioned that \$12.00 per day was a fair price for parking at a meter.

Councilmember McCarthy asked if the same fee applied if they take up one space or twenty spaces. Mr. Williams said the amount could double depending on the number of spaces used.

Councilmember Curwen expressed the concern of contractors taking up an overabundance of space. Mr. Williams said they would need to buy a meter bag on a daily basis. Councilmember Gomes asked if they would be required to pick them up every day. Mr. Keogh stated that if there was a big job that was ongoing, there would be designated areas for parking.

**** COUNCILMEMBER CURWEN MADE A MOTION TO APPROVE
** COUNCILMEMBER SILVA SECONDED**

Councilmember Andres Ayala said he thought this matter should be discussed further with OPED to work out a functional plan for parking downtown. Mr. Williams said there has been some discussion with the city traffic engineer, Mr. Mortessa and other parties.

Councilmember Andres Ayala requested that at some point an update on the plan should be submitted to the city council members and particularly to the council members that serve that district.

Councilmember McCarthy said he agreed that increasing the fee should be considered.

**** MOTION PASSED UNANIMOUSLY**

***Consent Calendar**

*** It was noted that a Public Hearing should be scheduled before the next City Council Meeting.**

66-04 Proposed amendments to Municipal Code Chapter 10.16 Parking Meters: Amended Section 10.16.090 Manner of parking in spaces

Mr. Keogh said the ordinance for parking meters was set up years ago. They now have two meters on the post, wherein there used to be one. He said he has received many complaints about this, so the meters will be changed to put arrows on each meter as an indicator for each vehicle.

Councilmember Andres Ayala commented that the posts were unsightly. He felt there were different alternatives for newer meters that were more aesthetically pleasing. He asked if they could be updated with the new laser technology method. Mr. Keogh said they had the idea to purchase a laser unit and test it out first in a parking lot environment.

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Councilmember Andres Ayala stated that it was important that newer technology be implemented, so that the public gets used to it at some point.

** COUNCILMEMBER CURWEN MADE A MOTION TO APPROVE
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY

*Consent Calendar

* It was noted that a Public Hearing should be scheduled before the next City Council Meeting.

67-04 Proposed amendments to Municipal Code, Amended Section 10.12.010 Restrictions on stopping or parking generally Violations – Penalties – Exemptions. New Section (D) Exemptions – 2 Parking Permits

Mr. Keogh reviewed the problem of people not using parking permits properly. He explained that if it was found a person had a permit, but it wasn't displayed on the vehicle, then they pay a fee of \$10.00; the same applied for a handicap permit.

It was noted that new language to the ordinance may apply (*see below*).

There was some further discussion on the use park permits and the problem of the owner not always being the sole user. Mr. Tetrault pointed out the new park sticker has the person's license plate # imbedded on the sticker. He pointed out this is done before the sticker is issued.

** COUNCILMEMBER GOMES MADE A MOTION TO APPROVE THE AMENDMENT TO DELETE THE WORDING "OR PARK PERMIT AND CITY PARKS PERMIT"
** COUNCILMEMBER SANTACROCE SECONDED

Proposed New Ordinance

THE HOLDER OF ANY HANDICAP PERMIT, WHO RECEIVES A PARKING VIOLATION NOTICE WHILE PARKED IN AN AREA WHERE PARKING WOULD HAVE BEEN ALLOWED IF THE PERMIT WAS DISPLAYED, MAY UPON SATISFYING THE PARKING VIOLATION BUREAU HAVE THE VIOLATION CHANGED TO "FAILURE TO DISPLAY PROPER "PERMIT" WHICH SHALL HAVE A FINE OF \$10.00. THIS SHALL INCLUDE BUT NOT LIMITED TO HANDICAP PARKING PERMITS.

** MOTION PASSED UNANIMOUSLY

*Consent Calendar

City of Bridgeport
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79-04 Proposed amendments to Municipal Code Chapter 2.56 Boards and Committees Generally, Amended Section 2.56.060 Disclosure of information concerning appointments to agencies, boards and commissions required from appointing authority

Councilmember Walsh stated that is matter goes back to the Ganim administration, when they had appointments before the City Council, but it wasn't known who was being replaced with what appointments. He said this matter occurred recently with a Planning & Zoning commissioner, wherein someone else was approved to be appointed, but the Mayor chose to appoint Commissioner Kish. He replaced Commissioner d'Haiti who had to step down. Councilmember Walsh felt that action was arbitrarily over-ridden. Overall, he said the point was to make sure that all boards and commissions reflect the ethnic diversity in the City of Bridgeport. He further mentioned the problem in the past, that it wasn't clear which person served on what board. He thought there should be an updated process of appointments, inclusive of the name of the board, the commissioner's name, term expiration and other pertinent information. He noted this process has been implemented in other municipalities and works well. Councilmember McCarthy commented that the City Attorney's opinion outlines the terms for all boards and commissions.

Councilmember Walsh noted that Norwalk's charter read the following: **The Mayor must appoint a replacement within 60-days.** City Attorney Anastasi read a portion of the City of Bridgeport charter that applied. He clarified that to prevent the flow of business, a person should serve on a board until a successor is found. Councilmember Walsh recalled that during prior administrations, other language applied for expired terms. City Attorney Anastasi felt things have gotten better as it pertains to filling vacancies. He expressed that a vacancy exists for a while sometimes due to the difficulty finding a qualified replacement.

Councilmember McCarthy said he was in support of the charter for items A, B, C, and D & E.

Councilmember Andres Ayala stated that a new system was needed to maintain the flow of information regarding boards and commissions vacancies. This system will also serve as a tool for persons that may be interested in serving on a particular board or commission. He said he also supported items A, B, C, and D & E of the charter.

Councilmember Curwen said he agreed with Councilmember Walsh in that many commissioners' terms had expired a long time ago. But they still remain seated. He didn't feel this was a good practice, especially when other names are submitted for appointments. He agreed they need a new procedure for reappointments. City Attorney Anastasi noted there have been a volume of new appointments recently.

** COUNCILMEMBER GOMES MADE A MOTION TO AMEND THE CHARTER AND REMOVE "ITEM F" AND ACCEPT ITEMS A, B, C, D and E
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY

*Consent Calendar

* It was noted that a Public Hearing should be scheduled before the next City Council Meeting.

City of Bridgeport
Ordinance Committee
May 24, 2005

135-04 Proposed amendments to Municipal Code Chapter 12.28 Park Use Regulations, Amended Section 12.28.04, Subsection B, Parking restricted within public parks. New language to allow for free park stickers for seniors

Councilmember Mojica gave an update on this item concerning park stickers for seniors. He noted the stickers will now be free for senior citizens. He expressed that it was important to look out for seniors. The new procedure will be to issue one (1) park sticker per senior. He further requested a change from 65-years to 60-years old.

It was noted that City Attorney Anastasi submitted an opinion on this matter.

Councilmember Andres Ayala asked if the sticker should apply per senior or to a household. Councilmember Mojica said it should be **per senior**. i.e., if it's a married couple, then each person gets a sticker.

Councilmember Anastasi said that based on the presumption that each person has a car, he wondered if it should be required that a driving license be shown and that the car be registered in Bridgeport, before issuing a sticker.

Mr. Tetrault commented that he respected the City Council's proposal on this matter. He however suggested the following apply:

1. That a resolution be drafted to use the Parks Department same qualifications with the stipulation that the parking sticker will be free.
2. The person must be current on motor vehicle taxes. And proof should be presented to the Parks Department before a sticker is issued.

**** COUNCILMEMBER CURWEN MADE A MOTION TO APPROVE WITH THE AMENDMENT TO WAIVE THE FEE FOR A PARKING PASS TO ANY SENIOR CITIZEN 65-YEARS OR OLDER. THE SAME RESTRICTIONS APPLY TO THIS FREE PARKING PASS AS REQUIRED WHEN APPLYING FOR ALL REGULAR PARK PERMITS**

**** COUNCILMEMBER SILVA SECONDED**

**** MOTION PASSED UNANIMOUSLY**

*Consent Calendar

* It was noted that a Public Hearing should be scheduled before the next City Council Meeting.

City of Bridgeport
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May 24, 2005

ADJOURNMENT

- ** COUNCILMEMBER SILVA MOVED TO ADJOURN
- ** COUNCILMEMBER GOMES SECONDED
- ** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 7:15 p.m.

Respectfully submitted by,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
Ordinance Committee
May 24, 2005

CITY of BRIDGEPORT
ORDINANCE COMMITTEE of the CITY COUNCIL
PUBLIC HEARING
JUNE 6, 2005

ATTENDANCE: Councilmember's: McCarthy, Curwen, Silva, Santacroce

OTHERS PRESENT: Councilmember: Andres Ayala

CALL TO ORDER

Councilmember McCarthy called the meeting to order at 6:21 p.m.

65-04 Proposed amendments to Municipal Code Chapter 10.16 Parking Meters: Amended Section 10.16.050 Fee

The Co-chair asked if there was anyone to speak in favor of the ordinance

The Co-chair asked if there was anyone to speak in opposition of the ordinance

- Mr. DeParle, 775 Boston Avenue said he thought the amendment was a bad idea.

Mr. McCarthy clarified that this amendment didn't involve what was in front of the public commission; this had to do only with parking meters. Mr. Brian Williams concurred.

Mr. DeParle withdrew his opposition.

**** COUNCILMEMBER SANTACROCE MADE A MOTION TO APPROVE
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY**

66-04 Proposed amendments to Municipal Code Chapter 10.16 Parking Meters: Amended Section 10.16.090 Manner of parking in spaces

It was noted that this amendment pertained to the construction of parking spaces.

The Co-chair asked if there was anyone to speak in favor of the ordinance

- Councilmember Paoletto said he was in favor of the amendment.

City of Bridgeport
Ordinance Committee Public Hearing
June 6, 2005

The Co-chair asked if there was anyone to speak in opposition of the ordinance

**** COUNCILMEMBER SANTACROCE MADE A MOTION TO APPROVE
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY**

67-04 Proposed amendments to Municipal Code, Amended Section 10.12.010 Restrictions on stopping or parking generally Violations – Penalties – Exemptions. New Section (D) Exemptions – 2 Parking Permits

It was noted this amendment pertained to handicap parking.

The Co-chair asked if there was anyone to speak in favor of the ordinance

- Councilmember Paoletto said he was in favor of the amendment.

The Co-chair asked if there was anyone to speak in opposition of the ordinance

**** COUNCILMEMBER SANTACROCE MADE A MOTION TO APPROVE
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY**

79-04 Proposed amendments to Municipal Code Chapter 2.56 Boards and Committees Generally, Amended Section 2.56.060 Disclosure of information concerning appointments to agencies, boards and commissions required from appointing authority

The Co-chair asked if there was anyone to speak in favor of the ordinance

The Co-chair asked if there was anyone to speak in opposition of the ordinance

**** COUNCILMEMBER SANTACROCE MADE A MOTION TO APPROVE
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY**

135-04 Proposed amendments to Municipal Code Chapter 12.28 Park Use Regulations, Amended Section 12.28.04, Subsection B, Parking restricted within public parks. New language to allow for free park stickers for seniors

The Co-chair asked if there was anyone to speak in favor of the ordinance

The Co-chair asked if there was anyone to speak in opposition of the ordinance

**** COUNCILMEMBER SANTACROCE MADE A MOTION TO APPROVE**

**City of Bridgeport
Ordinance Committee Public Hearing
June 6, 2005**

** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY

** COUNCILMEMBER CURWEN MADE A MOTION TO CLOSE THE PUBLIC HEARING
** COUNCILMEMBER SANTACROCE SECONDED
** MOTION PASSED UNANIMOUSLY

ADJOURNMENT

** COUNCILMEMBER SILVA MOVED TO ADJOURN
** COUNCILMEMBER SANTACROCE SECONDED
** MOTION PASSED UNANIMOUSLY

The meeting was adjourned at 6:30 p.m.

Respectfully submitted by,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
Ordinance Committee Public Hearing
June 6, 2005

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
PUBLIC HEARING
JUNE 20, 2005**

ATTENDANCE: Councilman McCarthy; Councilman Gomes; Councilman Silva;
Councilman Ayala

STAFF:

OTHER:

CALL TO ORDER

Councilman McCarthy opened the public hearing at 6:10 p.m.

**169-04 Proposed Amendment to Municipal Code of Ordinance: Section 3.16.110 Real
Property Tax Relief and Maximum**

He asked if anyone was in favor.

Ms. Ilona Skow of 349 East Avenue spoke, saying she wanted to abate taxes on her house. She asked if she had missed the deadline. She said she was a representative of East Avenue.

There was a brief discussion regarding the tax relief.

Councilman Paoletto said he and Councilman Curwen are in support of tax relief.

**** COUNCILMAN PAOLETTO MOVED TO CLOSE THE PUBLIC HEARING.
** COUNCILMAN CURWEN SECONDED.
** MOTION PASSED UNANIMOUSLY.**

Councilman McCarthy closed the public hearing at 6:20 p.m.

Respectfully submitted,

Carolyn Marr
Telesco Secretarial Services

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
JUNE 28, 2005**

ATTENDANCE: Thomas McCarthy, Co-Chair; Ed Gomes, Co-Chair; Thomas Freer; Carlos Silva; Anderson Ayala; Marilyn Santacroce; Robert Curwen (left at 7:10 p.m.)

STAFF: Mark Anastasi, City Attorney; Michael Lupkas, Director of Finance; Tom Sherwood, OPED

OTHERS: Council members Robert Walsh, Elaine Pivrotto

CALL TO ORDER

Co-Chair McCarthy called the meeting to order at 6:06 p.m.

APPROVAL OF MINUTES OF MAY 24, 2005

The following corrections were made:

On page 5, in Item 135-04, Councilmember Mojica spoke about park stickers for seniors. Change “65-years to 60-years old” to “62-years to 65-years old and older.”

At the end of the third paragraph, add the sentence “Pursuant to requirements of the Parks and Rec Department, proper identification (i.e., current driver license, valid car registration) will be required before issuance of a park sticker.”

In the fourth paragraph, at the end of pt. 2, add the sentence “Mr. Tetreault stated that persons looking for proof of current tax on the motor vehicle list would cause a back-up in the Tax Department.”

At the end of Councilmember Curwen’s motion, add the words “and Parks & Rec Department rules.”

**** MR. GOMES MOVED TO APPROVE THE MINUTES OF MAY 24, 2005 AS AMENDED.**

**** MS. SANTACROCE SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

Mr. Lupkas said that as part of the general budget process each year, an outside firm is retained to review many things for the City. Cost of living adjustments were made in 1992, 1994 and 2002, and the review board felt certain license fees should be brought up to date. He said that comparisons of similar surrounding communities were included in the review. Mr. Lupkas said that cost of living adjustments were being presented this evening. Mr. Freer said the idea sounded like additional taxes would be imposed, and he and his constituents felt strongly that taxes were already too high. He asked for comparable figures from towns such as Stratford. Mr. Sherwood said the permit fee increases were not tax increases but rather alternative methods of getting additional revenue for the City. Mr. Curwen said the Budget Committee always tried to raise revenue through means other than tax increases. Raising permit fees was a way to accomplish this. Attorney Anastasi said that comparables from surrounding towns might be irrelevant; Mr. Sherwood agreed, saying that regardless what other towns' fees were Bridgeport needed to stay within its budget dollars.

Item 140-04: Amended Section 8.20.650 Food Vending License

Mr. Lupkas said that current license fees were \$125 and these would increase to \$160 based on the cost of living. Likewise, the fee for a temporary 5-day license would increase from \$25 to \$75. Mr. Walsh asked if vending units were covered by personal property taxes; Mr. Lupkas said they were, if the license was for a vending machine. Mr. Freer said the "cost of living" argument is not a good one because it means that escalation would never end. Mr. Sherwood said that by charge from the City Council, license permit fees were to be reviewed annually so that the current situation would not repeat itself.

**** MR. CURWEN MOVED ITEM 140-04, PROPOSED AMENDMENT TO MUNICIPAL CODE, AMENDED SECTION 8.20.650 FOOD VENDING LICENSE.**

**** MR. SILVA SECONDED THE MOTION.**

**** MOTION PASSED WITH ONE VOTE IN OPPOSITION (FREER).**

141-04: Amended Section 8.28.010 Inspections by Fire Chief-Fees Established

Mr. Lupkas said the last adjustment occurred in 1994, and all fees were due to inflation. In response to Mr. Curwen, Mr. Lupkas said the Fire Marshal and department heads reviewed the fees.

- ** MR. CURWEN MOVED ITEM 141-04, PROPOSED AMENDMENT TO MUNICIPAL CODE, AMENDED SECTION 8.28.010 INSPECTIONS BY FIRE CHIEF – FEES ESTABLISHED.**
- ** MS. SANTACROCE SECONDED THE MOTION.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (FREER).**

Mr. Lupkas said that items 142-04, 143-04 and 144-04 were all fire related amendments and were fundamentally the same but just different sections of the code.

142-04: Amended Section 8.36.250 Applications

Mr. Walsh asked if fire inspections were performed on multi-family houses that were not classified as rooming houses. Mr. Sherwood said the State required building inspections and permits and licenses to be current every 10 years; Mr. Walsh felt they should be reviewed more frequently than once every 10 years.

- ** MR. CURWEN MOVED ITEM 142-04, PROPOSED AMENDMENT TO MUNICIPAL CODE, AMENDED SECTION 8.36.250 APPLICATIONS.**
- ** MR. SILVA SECONDED THE MOTION.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (FREER).**

143-04: Amended Section 8.36.290 Renewal

- ** MR. SILVA MOVED ITEM 143-04, PROPOSED AMENDMENT TO MUNICIPAL CODE, AMENDED SECTION 8.36.290 RENEWAL.**
- ** MR. CURWEN SECONDED THE MOTION.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (FREER).**

144-04: Amended Section 8.44.140 Reports to Fire Chief

Mr. Walsh asked if all inspections were being conducted as they were supposed to be; Mr. Sherwood said the City believed they were.

- ** MR. CURWEN MOVED ITEM 144-04, PROPOSED AMENDMENT TO MUNICIPAL CODE, AMENDED SECTION 8.44.140 REPORTS TO FIRE CHIEF.**
- ** MR. SILVA SECONDED THE MOTION.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (FREER).**

145-04: Amended Section 10.12.010 Restrictions on Stopping or Parking Generally – Violations – Penalties – Exemption

Mr. Curwen said that parking violations in his district have been prevalent for some time, and continue to be unaddressed by the Police Department who do not enforce the ordinance or levy fines. In his neighborhood specifically, Mr. Curwen said many cars park on sidewalks and in places where parking is prohibited. He asked the minutes to reflect that the administration is being requested to take a proactive stance on this issue.

- ** MR. CURWEN MOVED ITEM 145-04, PROPOSED AMENDMENT TO MUNICIPAL CODE, AMENDED SECTION 10.12.010 RESTRICTIONS ON STOPPING OR PARKING GENERALLY – VIOLATIONS – PENALTIES – EXEMPTION.**
- ** MS. SANTACROCE SECONDED THE MOTION.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (ANDERSON AYALA).**

146-04: Amended Section 10.12.060 Nighttime Parking – Penalties

- ** MR. CURWEN MOVED TO AMEND SECTION 10.12.060 AS FOLLOWS: IN ITEM B, INCREASE THE FEE FROM \$25 TO \$95; ADD NO. 3 UNDER ITEM C TO READ: “A VIOLATION OF NINETY-FIVE DOLLARS (\$95.00) INCREASES TO ONE HUNDRED DOLLARS (\$100.00) PER VIOLATION.”**
- ** MR. SILVA SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

147-04: Amended Section 15.08.010 Building Permit and Related Fees

Mr. Lupkas said that building permit fees were last modified in 2002.

- ** MR. CURWEN MOVED ITEM 147-04, PROPOSED AMENDMENT TO MUNICIPAL CODE, AMENDED SECTION 15.08.010 BUILDING PERMIT AND RELATED FEES.**
- ** MR. SILVA SECONDED THE MOTION.**
- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (FREER).**

148-04: Amended Section 15.12.250 Rental Conditions – Certificate of Apartment Occupancy

Mr. Lupkas said this item was being removed from the agenda as there were no dollar amount changes and accordingly, the item had no merit. A letter stating same would be provided to the City Clerk.

149-04: Amended Section 15.12.280 Rooming Houses/Hotels – License Applications – Display

Mr. Lupkas said this amendment was a result of cost of living increases.

- ** MR. CURWEN MOVED ITEM 149-04, PROPOSED AMENDMENT TO MUNICIPAL CODE, AMENDED SECTION 15.12.280 ROOMING HOUSES AND HOTELS – LICENSE APPLICATIONS – DISPLAY.**
- ** MS. SANTACROCE SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

164-04: Amend the Tax Incentive Development Program Ordinance

Mr. Lavernoich said the original ordinance was dated 1990 and many parts of it were outdated and unworkable. OPED felt strongly that certain circumstances in the ordinance needed clarification in light of the complex nature of real estate partnerships. This amendment was a simple modernization of the existing ordinance that allowed the City to provide tax assessments for major real estate projects in excess of \$3 million which qualified it for a tax break. Mr. Freer said he was suspicious as to why this item was coming up now, and asked if it was the result of a specific developer expressing an interest in Bridgeport. Mr. Lavernoich said there were no new deals, but OPED wanted to clean up the outdated language and make certain intentions in the ordinance clearer. Co-Chair Gomes said he felt it would be more prudent to wait for the results of the disparity study before making changes to the ordinance. Once the results became known, specific goals from the study could be placed into the ordinance. He said that the standard boilerplate language in the ordinance did not protect minority-owned businesses in the City, nor did it enable minorities to be hired for jobs created as a result of the City's many construction projects. Co-Chair Gomes felt strongly that explicit language was required; Mr. Lavernoich assured him the re-written ordinance would encompass what was presented in the disparity study. Attorney Anastasi said that existing language in affirmative action programs, minority guideline quotas, etc. would change based on what the disparity study recommended. Co-Chair Gomes said it made little sense to approve the item it would change based on the disparity study. He expressed concern about the PLAs, saying that in the past many minorities trusted people who they thought supported their cause only to realize after the fact that it was not the case. Mr. Walsh asked if the taxing districts would be covered by the ordinance. Mr. Lavernoich said they were covered under separate state

actions. Mr. Walsh expressed concern that there wouldn't be enough structure regarding the taxing districts and wondered how the situation would be implemented. Attorney Anastasi said his office would respond to any questions via email. Mr. Walsh asked why paragraph C of section 3.20.020 had been removed; Mr. Lavernoich said it was approved for removal 15 years ago. Mr. Walsh asked about section 3.20.030 relating to low to moderate income housing. Co-Chair Gomes asked that lower income and affordable housing be given priority. Mr. Lavernoich said this should not be addressed in an ordinance but rather by some other means. Co-Chair Gomes reiterated that changes should not be made until the disparity study was received. Co-Chair McCarthy suggested that the item should be tabled until additional information was available.

**** CO-CHAIR MCCARTHY MOVED TO TABLE ITEM 164-04.**

**** CO-CHAIR GOMES SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

**** CO-CHAIR GOMES MOVED TO SCHEDULE PUBLIC HEARINGS ON ITEMS 140-04, 141-04, 142-04, 143-04, 144-04, 145-04, 146-04, 147-04, 149-04 AND 164-04.**

**** MS. SANTACROCE SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

**** MR. SILVA MOVED TO ADJOURN.**

**** MR. FREER SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Carol A. Graham for
Telesco Secretarial Services

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
JULY 26, 2005**

ATTENDANCE: Thomas McCarthy, Co-Chair; Ed Gomes, Co-Chair; Carlos Silva; Marilyn Santacroce; Robert Curwen

STAFF: Tom Sherwood, OPED

OTHERS: Council member Thomas Mulligan; Dennis Buckley

CALL TO ORDER

Co-Chair McCarthy called the meeting to order at 6:06 p.m. and said that unless there was objection, agenda items would be discussed out of order. He said that all items approved would be placed on the Council's consent calendar.

197-04: Approval of Revised Fee Schedule, Zoning Department

Mr. Buckley said the City hired consultants (PFM) to review their policies and regulations in comparison with the surrounding towns of Hartford, Stamford, Norwalk and New Haven; results of the review clearly showed that Bridgeport's fees were the lowest. As a means of calculation, fees used in the review were averaged, and Bridgeport set its fees at the median level. Fees received by the Zoning Department were put back into the City's general fund. Mr. Buckley said he heard many comments that Bridgeport's fee of \$25 was very reasonable. He said there were no major jumps, but a new fee for realtors, etc. was being added. He said the intent is for people seeking the letter of zoning compliance to come in to the department and obtain an over-the-counter certificate. Mr. Curwen asked that the Council members receive a copy of the report from PFM.

**** MR. CURWEN MOVED TO APPROVE ITEM 197-04: APPROVAL OF REVISED FEE SCHEDULE, ZONING DEPARTMENT, AND TO SCHEDULE THE ITEM FOR A PUBLIC HEARING BEFORE THE NEXT COUNCIL MEETING.**

**** MR. GOMES SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

153-04: Amended Section 2.50.050 Duties of Director of Parks and Recreation

Mr. Sherwood said the City has not had a formal position for a tree warden for many years. Most of the duties that would fall under that responsibility are outsourced. He said that in order to apply for grant funding, the City must create a position for a tree warden. Phil Hardy was the likely candidate to fill this position. Mr. Sherwood said that Mr. Hardy, a current City employee in good standing, would not receive a pay increase.

**** MR. CURWEN MOVED TO APPROVE ITEM 153-04: PROPOSED AMENDMENT TO MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.50 DEPARTMENT OF PARKS AND RECREATION, AMENDED SECTION 2.50.050 DUTIES OF DIRECTOR OF PARKS AND RECREATION, AND TO SCHEDULE THE ITEM FOR A PUBLIC HEARING BEFORE THE NEXT COUNCIL MEETING.**

**** MR. SILVA SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

171-04: Proposal to Deny Building Permits to Individuals

Mr. Curwen said that he, Council members Pivirotto, McCarthy and Walsh initiated a resolution that would control building permits to those who owed outstanding taxes to the City. He said he now proposed to expand the original resolution by requiring that the specific piece of land be stated. Co-Chair McCarthy said he had not received a legal opinion on this matter; Mr. Curwen said he received a verbal opinion of support from Attorney Anastasi and his colleague.

**** MR. CURWEN MOVED THE FOLLOWING TO APPROVE ITEM 171-04: PROPOSAL TO DENY BUILDING PERMITS TO INDIVIDUALS WHO OWE ANY OVERDUE MUNICIPAL TAXES; TO EXPAND THE ITEM TO REQUIRE THE PERMIT TO STATE THE SPECIFIC PIECE OF LAND; AND TO ORDER THAT A PUBLIC HEARING BE HELD BEFORE THE NEXT COUNCIL MEETING.**

**** MR. GOMES SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

128-04: Proposed Amendment to Municipal Code of Ordinances: New Chapter 5.46, Junk Dealers

Mr. Sherwood said this amendment would add a new chapter to include junk dealers, similar to pawn shops. He said there would be fines, but the document was not available. The committee members agreed to table this item until additional information became available.

**** MR. SILVA MOVED TO TABLE ITEM 128-04: PROPOSED AMENDMENT TO MUNICIPAL CODE OF ORDINANCES: NEW CHAPTER 5.46, JUNK DEALERS.**

**** MS. SANTACROCE SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

189-04: Waiver of Building Permit and Trash Disposal Fees

Council President Ayala said he received a letter from Ms. Brown requesting waiver of fees for a building permit and for disposal of materials for a non-profit group that voluntarily built ramps for the handicapped. Mr. Sherwood said the City had been allowing this for the last few years; the group did sound work and the volunteered deeds were very welcomed. Council President Ayala said he thought construction would take place the first week of August, but wasn't sure of the exact dates. Sites were pre chosen. While in the area, the group would be housed by a church in Fairfield. In response to Mr. Silva, Council President Ayala said he didn't know how large the group was. Mr. Mulligan said the group completed 17 projects last year.

**** MR. CURWEN MOVED TO APPROVE ITEM 189-04: REQUEST FROM SHERI BROWN, EXECUTIVE DIRECTOR, U.M. ARMY – NORTHEAST FOR WAIVER OF BUILDING PERMIT AND TRASH DISPOSAL FEES.**

**** MR. SILVA SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

**** MR. CURWEN MOVED TO ADJOURN.**

**** MR. SILVA SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Carol A. Graham for
Telesco Secretarial Services

**CITY OF BRIDGEPORT
COMMITTEE ON ORDINANCES
PUBLIC HEARINGS
AUGUST 1, 2005**

ATTENDANCE: Thomas McCarthy, Co-Chair; Ed Gomes, Co-Chair; Carlos Silva; Marilyn Santacroce; Robert Curwen; Thomas Freer

CALL TO ORDER

Co-Chair McCarthy called the meeting to order at 6:10 p.m. and opened the public hearing on

Proposed Amendment to Municipal Code of Ordinance: Chapter 2.50 Department of Parks & Recreation, Amended Section 2.50.050 Duties of Director of Parks and Recreation

There being no one wishing to speak in favor of or in opposition to this item,

- ** MS. SANTACROCE MOVED TO CLOSE THE PUBLIC HEARING.
- ** MR. SILVA SECONDED THE MOTION.
- ** MOTION PASSED UNANIMOUSLY.

Co-Chair McCarthy opened the public hearing on

Proposal to Deny Building Permits to Individuals Who Owe Any Overdue Municipal Taxes

There being no one wishing to speak in favor of or in opposition to this item,

- ** MR. CURWEN MOVED TO CLOSE THE PUBLIC HEARING.
- ** MS. SANTACROCE SECONDED THE MOTION.
- ** MOTION PASSED UNANIMOUSLY.

Co-Chair McCarthy opened the public hearing on

Approval of Revised Fee Schedule – Zoning Department

There being no one wishing to speak in favor of or in opposition to this item,

**** MR. SILVA MOVED TO CLOSE THE PUBLIC HEARING.
** MS. SANTACROCE SECONDED THE MOTION.
** MOTION PASSED UNANIMOUSLY.**

**** MS. SANTACROCE MOVED TO ADJOURN.
** MR. SILVA SECONDED THE MOTION.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 6:12 p.m.

Respectfully submitted,

Carol A. Graham for
Telesco Secretarial Services

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
SEPTEMBER 27, 2005**

ATTENDANCE: Thomas McCarthy, Chairman; Carlos Silva, Edwin Gomes,
Robert Curwen.

OTHERS: Councilman Robert Walsh, Councilman Angel De Para, Jr.;
Attorney Barton, Peter Keoyo

Chairman McCarthy called the meeting to order at 6:30 pm.

**APPROVAL OF MINUTES JUNE 6, 2005 PUBLIC HEARING
APPROVAL OF MINUTES JUNE 20, 2005 PUBLIC HEARING**

- ** MR. SILVA MOVED TO ACCEPT THE MINUTES FROM THE JUNE
6, 2005 AND JUNE 20, 2005 PUBLIC HEARINGS AS SUBMITTED.**
- ** MR. CURWEN SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

**APPROVAL OF MINUTES FROM JUNE 28, 2005 MEETING
APPROVAL OF MINUTES FROM JULY 26, 2005 MEETING**

- ** MR. SILVA MOVED TO ACCEPT THE MINUTES FROM THE JUNE
28, 2005 AND JULY 26, 2005 PUBLIC HEARINGS AS
SUBMITTED.**
- ** MR. CURWEN SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

**128-04 PROPOSED AMENDMENT TO MUNICIPAL CODE OF ORDINANCES:
TITLE 5 BUSINESS LICENSES AND REGULATION, NEW CHAPTER 5.46 -
JUNK DEALERS.**

Attorney Barton explained that this measure was to put some controls on junk dealers who often ended up accepting stolen goods, frequently in the form of scrap metal from various sources. It was modeled after the State Statutes for pawn brokers.

- ** MR. CURWEN MOVED TO APPROVE 128-04 PROPOSED
AMENDMENT TO MUNICIPAL CODE OF ORDINANCES:
TITLE
5 BUSINESS LICENSES AND REGULATION, NEW CHAPTER
5.46 - JUNK DEALERS WITH A SCHEDULED PUBLIC
HEARING.**
- ** MR. SILVA SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

230-04 PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES: AMENDING CHAPTER 8.16 (DAY NURSERIES TO NEW CHAPTER CHILD DAY CARE.

Attorney Barton explained that this wording change was being submitted in order to bring about uniformity between the City of Bridgeport and the State of Connecticut in regards to the terms being used for child care.

- ** MR. CURWEN MOVED TO APPROVE 230-04 PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES: AMENDING CHAPTER 8.16 (DAY NURSERIES TO NEW CHAPTER CHILD DAY CARE WITH A SCHEDULED PUBLIC HEARING BEFORE THE NEXT COUNCIL MEETING.**
- ** MR. SILVA SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

233-04 PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES: CHAPTER 10.24 IMPOUNDMENT OF VEHICLES, AMENDED SECTION 10.24.030 IMMOBILIZATION AND IMPOUNDMENT.

Chairman McCarthy explained that this agenda items was being withdrawn as per a memo from Attorney Melanie J. Howlett dated September 27, 2005.

241-04 WAIVER REQUEST OF ORDINANCE SECTION 12.08.070 TO EXTEND WIDTH OF (2) DRIVEWAY APPROACHES FOR #415 THRU #447 CHAMBERLAIN AVENUE.

Chairman McCarthy informed the Committee that this agenda item was withdrawn by the request of the applicant.

269-04 REQUEST THAT A TEMPORARY MORATORIUM BE HELD ON THE DEMOLITION OF TWO (2) HISTORIC HOMES IN THE CITY, LOGAN STREET PROPERTY AND THE HANIFORD HOUSE.

Chairman McCarthy informed the Committee that this agenda item was withdrawn by the request of the applicant.

273-04 REQUEST THAT THE PLANNING AND ZONING COMMISSION AMEND THE OR-R ZONE REGULATIONS, SECTION 6-5 AND TABLE 6-5-2, TO PROVIDE THAT SHORT TERM LODGING, BE ALLOWED ONLY BY SPECIAL PERMIT.

Councilman dePara addressed the Committee and presented a map of Bridgeport with the OR-R zones highlighted. He informed the group that a short term lodging building was in the process of construction in a neighborhood with many families.

There was some brief discussion about whether the Committee could actively prevent such situations or only recommend.

- ** MR. CURWEN MOVED TO APPROVE 273-04 REQUEST THAT THE PLANNING AND ZONING COMMISSION AMEND THE OR-R ZONE REGULATIONS, SECTION 6-5 AND TABLE 6-5-2, TO PROVIDE THAT SHORT TERM LODGING, BE ALLOWED ONLY BY SPECIAL PERMIT.**
- ** MR. SILVA SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Mr. Curwen informed the Committee that due to other obligations, he would have to leave the meeting at this point. Chairman McCarthy stated that when Mr. Curwen left, they would no longer have a quorum.

- ** MR. SILVA MOVED TO RECESS THE MEETING UNTIL OCTOBER 6, 2005.**
- ** MR. CURWEN SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting went into recess at 6:55 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services.

CITY OF BRIDGEPORT
PUBLIC SAFETY and TRANSPORTATION COMMITTEE of the CITY COUNCIL
OCTOBER 5, 2005

ATTENDANCE: COUNCIL MEMBERS: HOLLOWAY, VALLE, VIZZO-
PANICCIA

ABSENT: COUNCIL MEMBERS: MULLIGAN, RODGERSON, WALSH ,
WEBB

ASSOCIATE CITY ATTORNEY: MELANIE HOWLETT

It was announced that due to no quorum the meeting would not be held tonight. The matter will be referred to the clerk's office for rescheduling.

ADJOURNED

**** COUNCILMEMBER HOLLOWAY MOVED TO ADJOURN
** COUNCILMEMER VIZZO-PANICCIA SECONDED
** MOTION PASSED UNANIMOULSY**

The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
OCTOBER 11, 2005**

ATTENDANCE: Thomas McCarthy, Chairman; Robert Curwen; Curtis Silva; Maria Santacroce.

STAFF:

OTHERS: Andres Ayala, Council President; Robert Walsh, Councilman; J.H. Barton, City Attorney.

CALL TO ORDER

Chairman McCarthy called the meeting to order at 5:37 p.m.

Mr. McCarthy stated that this was a reconvened meeting as the Committee had three items they did not take action on at the previous meeting.

Mr. McCarthy said the Committee would begin by taking the second agenda item out of order.

**219-04 PROPOSED AMENDMENT TO MUNICIPAL CODE OF ORDINANCES:
CHAPTER 8.20 FOOD AND FOOD ESTABLISHMENTS, AMENDED SECTION
8.20.650 FOOD VENDING LICENSE**

- ** MR. CURWEN MOTIONED TO APPROVE THE AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES CHAPTER 8.20 FOOD AND FOOD ESTABLISHMENTS, WITH A PUBLIC HEARING BEFORE THE NEXT COUNCIL MEETING.**
- ** MS. SANTACROCE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

**224-04 PROPOSED AMENDMENT TO MUNICIPAL CODE OF ORDINANCES:
CHAPTER 5.80 WEIGHTS AND MEASURES, AMENDED SECTIONS 5.80.010
C. LICENSE REQUIREMENTS AND PENALTIES**

Mr. McCarthy stated he had a change as there was a typo on the agenda he sent out to everyone. The vehicle tank loading meters was listed as 150-180 and should read 140-150.

Mr. Curwen asked to make a comment. He asked if it were possible, with all the changes they are making on these new ordinances, if they could get an estimate on how much revenue this would generate. He was told that this would be possible.

- ** MR. CURWEN MOVED TO APPROVE THE AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES CHAPTER 5.80 WEIGHTS AND MEASURES. WITH A PUBLIC HEARING BEFORE THE NEXT COUNCIL MEETING.
- ** MS. SANTACROCE SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

205-04 PROPOSED AMENDMENT TO MUNICIPAL CODE OF ORDINANCES: CHAPTER 12.16 STREET AND SIDEWALK USE REGULATIONS, AMENDED SECTION 12.16.150 REMOVAL OF OBSTRUCTIONS, SNOW AND ICE FROM SIDEWALKS

Mr. McCarthy said this amendment was the one the Committee had been discussing in the previous meeting, which had been recessed until this evening. He opened the discussion by acknowledging City Attorney J.H. Barton.

Attorney Barton stated there were two parts to the amendment. Part A would set a penalty for the property owner for not repairing in a timely manner, and a new Part B which mirrors snow and ice and says that the property owner, who already has a duty to repair and maintain the sidewalks, be treated like he is for snow and ice. Attorney Barton's suggestion was that Part A be deleted from the whole and Part B be the new amended portion. He distributed a copy of the code to the members showing the paragraph to be amended.

Mr. McCarthy questioned whether the Committee had already amended this portion in 2004. Attorney Barton said he thought it was more likely ten years ago. Mr. McCarthy questioned that Part A was a fee structure and Part B was the liability issue and that Mr. Barton was suggesting they amend the liability part now and leave defining the fees to a later fight. Mr. Barton said this would give people time to think about it and digest it, whereas the other part just mirrored what they had and has proven to be no big deal in the last ten or so years.

Mr. Curwen stated that he had a constituent in his district who owns property off Stratford Avenue and apparently the City, during heavy snow removal, and because this is a vacant lot, will plow the snow up over the curb and onto his property. Mr. Curwen sad that the issue is, if you read what the amendment is saying, if the City puts the snow on or close to his property and blocking the sidewalk, he didn't see how the property owner could be held responsible for the snow removal or lack thereof. Attorney Barton said that if this ends up as a lawsuit and it is act of the City, then it would be the City's act of participation in the creation of a nuisance and the City would be responsible for its

acts, that's what the law is, and that would be the normal legal process when presented with that in court. Mr. Curwen asked if that was indeed the normal legal process because he didn't see that written anywhere; as Mr. Barton is an attorney he was taking his word for it but would hate to have that come back to haunt them by a concerned constituent of his in the future.

Attorney Barton said that if he was analyzing this as an attorney, if the City has done something, created a nuisance, then the City is responsible for its acts. He said that if the property owner gets sued, if the property owner says the City of Bridgeport is responsible, the law firm representing the property owner would bring in the City as a defendant in the action, and then the City would have to defend its acts, and his presumption would be that the City would be held responsible for its acts which created a nuisance. This is what he would do if he were representing the property owner. Mr. Curwen said he would feel comfortable if they would add a clause to the amendment stating this. He suggested they add, "unless determined otherwise by mitigating circumstances" because he felt they had a responsibility here.

Mr. McCarthy acknowledged Mr. Walsh, a Council member. Mr. Walsh said he had come here tonight thinking they should just table this item. He said that it seemed to him to be rushed through at the last minute. He said the proposed amendment includes a \$100-per-day fine for sidewalks and wanted to know if it was stricken from the proposed amendment or not. Mr. Curwen said it was stricken. Mr. Walsh said it was going to come back again. Attorney Barton said it may or may not. Mr. Walsh said that he was shaking his head because there was nothing that stops the City from just sending someone driving all around the town writing up addresses and it just becomes a new revenue stream for the City. To him, that part of the proposed amendment was frightening. He would prefer the whole thing be tabled, let it die in committee; bring it back when they had two years to deal with it.

Mr. Curwen said he could see the logic in Mr. Walsh's statements. He said that as a property owner and a business owner in the City of Bridgeport, or any other city in the United States, we as property owners have an obligation to keep our sidewalks clear. Mr. Walsh asked if Mr. Curwen could tell him what other cities do about this, do other cities have such strict liabilities like this? He asked if this would turn around and increase the homeowners liability insurance by \$100 per year. He said these are the questions that need to be answered, he said the constituents in his district would not stand for this; they already have big problems regarding tree roots in his district.

Mr. McCarthy asked City Attorney Barton to take part in the conversation. Mr. Barton said it was his suggestion that this part of the proposed amendment be removed for the exact reasons they were discussing. He said it needs to be discussed further and they were beating a dead horse which isn't even part of the amendment any longer, because the Committee was going to delete this part of the amendment. He said, as for the second section, there was the arguments about insurance when the ordinance on snow and ice was adopted ten years ago, and there was no affect on people. There were concerns and

they looked at them, and history has proven there haven't been problems. He said people have the responsibility to maintain their sidewalks; they've had it since 1895 when the charter was adopted for the City of Bridgeport by a special act of the State Legislature, so there's no change, the property owner has a duty to do it; the City can go in and charge him to do it; the City doesn't have the funds to do it, which is why the City doesn't have inspectors. He said that when he started with the City some years ago, they had two sidewalk inspectors but those have gone by the boards.

Mr. McCarthy recognized Council President Ayala. Mr. Ayala asked if the section that Mr. Barton suggested they remove, was that changed language or new language. Mr. Barton said it was brand new language so it could be removed. Mr. Curwen said that he recognized it was being removed and questioned that the amendment was being tailored to snow and ice removal, was that correct. Mr. Barton said not any more, there was a snow and ice ordinance, which was adopted over ten years ago. He said Section 12.16.160 was adopted ten years ago and shifted liability for snow and ice from the City to the property owner. The history they've had was, the insurance company that represented the property owner would pick up the lawsuit, he didn't know how many lawsuits there have been, he's never heard of any interest rates being raised throughout the City because of this ordinance. That's not what the history has been. Basically what the Committee is doing is mirroring 12.16.160 of the ordinances, and this section of the ordinances was never changed. Mr. McCarthy said this was following the snow and ice, it was doing for the sidewalks the same thing it did for snow and ice. Mr. Barton said he was correct.

Council President Ayala said his only concern was the fact that they were holding their constituents liable for replacing sidewalks when tree roots damage them, but when the constituent wants to remove a tree from the property and fix the sidewalk; they are told they don't have the right to do that. Mr. Barton said they do have the right to take down a tree and a duty to repair the sidewalk. Mr. Ayala said there had been a situation where it was a City tree and the person was told they did not have the right to remove it or trim it or do anything whatsoever. Mr. Barton said that most people do prefer to have the City do that as it is expensive, so they don't have to carry the cost, but technically the property owner can remove the tree. Mr. Curwen pointed out that when tree roots clog the sewer line, the City comes out and clears the pipe. Mr. Ayala said he was under the impression the tree was a City tree and the City was responsible for it. Mr. Curwen said he had reservations about the change to the amendment, if it was tailored to snow and ice removal he could support it, but he had a large concern in his district about tree roots. Mr. McCarthy said he had a concern about the reverse impact of the dollar amounts with the City taking responsibility for trees, as trees were a huge issue in his district. He said the tree removal was a huge cost to the City, but he could also understand what an issue it is, and said they needed to be careful what they do here. Mr. Ayala said he would like to motion to table the issue and address it in the new Council.

Mr. McCarthy said they have a motion to table and there is no discussion on a motion to table. He called for a second to the motion. Mr. Barton wanted to point out that if they table the issue then it would die. Mr. McCarthy agreed.

**** MR. CURWEN MOTIONED TO TABLE APPROVAL OF THE AMENDMENT TO MUNICIPAL CODE OF ORDINANCES CHAPTER 12.16 STREET AND SIDEWALK USE REGULATIONS, AMENDED SECTION 12.16.150 REMOVAL OF OBSTRUCTIONS, SNOW AND ICE FROM SIDEWALKS.**

**** MS. SANTACROCE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MR. McCARTHY MOTIONED TO ADJOURN THE MEETING.**

**** MR. CURWEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Linda J. Hayes
Telesco Secretarial Services

CITY OF BRIDGEPORT
ORDINANCE COMMITTEE of the CITY COUNCIL
OCTOBER 25, 2005

ATTENDANCE: COUNCIL MEMBERS: McCARTHY, CURWEN,
SANTACROCE, GOMES, SILVA

ABSENT: COUNCIL MEMBERS: FREER, ANDERSON AYALA

OTHER(s) PRESENT: COUNCIL MEMBERS: ANDRE AYALA, de PARA,
RODGERSON, PIVIROTTO, WALSH, VALLE (until 7:00
p.m.)

CITY ATTORNEY'S: MARK ANASTASI, RON PACACHA

Councilmember McCarthy called the meeting to order at 6:27 p.m.

Minutes Approval - August 1, 2005; September 27, 2005; October 3, 2005 and October 11,
2005

**** COUNCILMEMBER SILVA MOVED TO ACCEPT THE MINUTES
** COUNCILMEMBER CURWEN SECONDED
** MOTION PASSED UNANIMOUSLY**

276-03 Proposed new ordinance regarding installation of streetlights

Councilmember McCarthy updated that this matter had been tabled a while back.

**** COUNCILMEMBER CURWEN MADE A MOTION TO TABLE
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY**

277-03 Proposed new ordinance regarding developer/contractor performance bonds

Councilmember McCarthy updated that the committee met twice to discuss this matter and it was tabled twice. He said there were issues still pending with the city attorney's office.

Councilmember Gomes said that since this was the last meeting before the matter dies, they should table it and resubmit it if needed.

**** COUNCILMEMBER GOMES MADE A MOTION TO TABLE
** COUNCILMEMBER CURWEN SECONDED
** MOTION PASSED UNANIMOUSLY**

164-04 Proposed resolution to amend the Tax Incentive Development Program ordinance

Councilmember McCarthy stated that this item had been withdrawn.

221-04 Approval of Report “The City of Bridgeport Disparity Study regarding Minority Participation in Contracting”, submitted by Mason Tillman Assoc., Ltd.

City Anastasi referred to the legal opinion and recommended that the committee not act tonight. He said the focus was on the next resolution that dealt with adopting an ordinance.

Councilmember McCarthy asked if they needed to accept the study. City Attorney Anastasi stated that the information pertained to item 262-04, but that it didn't require any action. He suggested they table the matter.

Councilmember Curwen acknowledged receipt of the information:

**** COUNCILMEMBER CURWEN MADE A MOTION TO TABLE
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY**

262-04 Proposed amendment to Municipal Code, Chapter 3.08, new section 3.08.160 Small Business Enterprise Construction Opportunity Initiative

Councilmember Walsh stated what was done was that an ordinance New Haven adopted was copied word for word, except for the administration and body of government to oversee it. It was drafted as a result of the disparity study conducted by Mason Tillman. They gave specific percentages of contractors and sub-contractors that are minority owned and where the 20% rule applies. He noted the ordinance could be further refined, but he suggested it be adopted and made effective April 1, 2006, this will give them time to iron out any issues before that date.

City Attorney Anastasi said that he assumed that he conceded that New Haven's ordinance was conceived based on a study for the City of New Haven and that it may not apply entirely to the City of Bridgeport. Councilmember Walsh said the only thing that was different was the body of government to oversee it.

City Attorney Pacacha distributed information regarding the Mason Tillman study. He noted there was only 5.6% set aside for minority contractors, but they dealt with other anecdotes in the disparity area to help all small businesses and to target Bridgeport businesses in particular. He further reviewed the information regarding specific set asides. He spoke about contractor's bidding for work. And he also spoke about the fact that the ordinance only covered the construction industry, but the proposed ordinance relates to all industries, such as construction, architecture etc. He noted the ordinance differed in geographic areas. He went on to say that contractors were awarded work in the set aside and it was important to set up a small percentage of contracts strictly for Bridgeport.. He noted that volunteer programs were not just gender based.

Councilmember Gomes questioned past problems of contracts being awarded race based.

Councilmember McCarthy said they were required to do a study with the findings concluded. He questioned if the study was done based on those findings. City Attorney Pacacha said there were other businesses that are not targeted businesses. But you can't benefit people where no disparity is found. City Attorney Anastasi asked if the ordinance was sufficiently developed and if it could be revised as needed for Bridgeport. City Attorney Pacacha said it could be, because it gives guidance to all contractors as to how to handle contracting.

Councilmember McCarthy referred to page 1 of the handout. City Attorney Pacacha pointed out that the best practices policy began on page 7. Councilmember McCarthy said the ordinance was submitted. He asked if they could substitute it for the City of Bridgeport. City Attorney Anastasi said they could amend it by substitution.

Councilmember de Para said he read the study and one problem he found was where they took the sample data from, i.e., data was taken from the days of "pay to play". He didn't think they could adjust for that issue and further, he said who was to say that all the contractors indicated in the handout weren't involved in the "pay to play". He said the issue was with the actual data to create the ordinance. City Attorney Pacacha said he asked those that compiled the information to tell them what the relevant time period should be. It was found they used contractors prior to the year 2000.

Councilmember de Para said it wasn't a matter of the time frame alone. Again, it was an issue of the data that was compiled from that time frame during "pay to play". City Attorney Pacacha said the same could be said for contracts where there aren't any statistics. Councilmember de Para questioned how to address the data that may be "shady" and he asked if they have been keeping track of contracts dating after the year 2000. Ms. Deborah said she wasn't sure if that information was tracked, but she could research the matter.

City Attorney Anastasi agreed the integrity of the study may be questionable due to the time it was done. But he said nothing was found that indicated contracts were doled out to favor or disfavor any one party in particular. He did agree that they need to monitor statistics going forward.

Councilmember de Para mentioned that one component should be a constant monitoring of all contracts going through the city. Councilmember Gomes agreed with him. He further stated that he was against a substituted ordinance. However, he thought they needed to work out all the issues and consider the time line of April 2006 as suggested by Councilmember Walsh. He thought that both ordinances should be considered and then they will incorporate the best portions of each to come up with one ordinance. City Attorney Anastasi said there wouldn't be a problem meshing the two ordinances. But he thought they should adopt it in January or February.

Councilmember Gomes said when they talk about the value of the study, if you looked at the city attorney's ordinance compared to the committee's ordinance, the important thing was to make sure everyone gets their fair share of the contracts.

Councilmember Walsh said he would be amenable to substituting the ordinance. He said it was not so much a matter of pro-minority contracts, but he felt the data was so skewed by the process that it required more attention.

Councilmember Curwen felt the onus was on the committee to pass something and get the process going. And modify it as needed up to April 2006.

**** COUNCILMEMBER CURWEN MADE A MOTIN TO APPROVE THE
SUBSTITUTED ORDINANCE WITH THE AMENDMENT OUTLINED ON
PAGE 9. AND APPROVED UPON SCHEDULING OF A PUBLIC HEARING
BEFORE THE NEXT CITY COUNCIL MEETING**

(Note: this information will be submitted to the City Clerk's office by Councilmember McCarthy).

Councilmember de Para reemphasized that they need to track contracts going out from now until April 2006. He said it was important to know the environment in order to curtail the problem.

**** COUNCILMEMBER SILVA SECONDED**

City Attorney Anastasi asked if the substituted ordinance had an effective date. Councilmember Walsh said it should be effective immediately. City Attorney Anastasi said it has to be effective upon publication. And if it needs amending they can do that.

**** MOTION PASSED UNANIMOUSLY**

275-04 Proposed Registered Sex Offenders Ordinance

Councilmember Rodgerson stated that the proposed ordinance had been proposed in fourteen states and some cities. He explained that it accomplishes two things. One is that it draws a 125 ft. perimeter around public and private schools in which registered sex offenders can't reside. It also prohibits them from using parks when children are present. He said the ordinance was passed in Iowa and a year ago, it was passed by the state, but it was challenged at the local level. At this point, the matter may go on to the Supreme Court. He felt this would set a precedent for enforcing the ordinance in the State of Connecticut. He further explained the way the state policy has worked, is that in the City of Bridgeport, density of sex offenders is thirteen every square mile and in his district alone, he said there have been multiple problems with the issue. He said that Fairfield County there is one sex offender roughly every three square miles. So again, the ordinance will keep sex offenders away from the parks and daycare centers. He said they were looking to implement the ordinance to see how it works and fine tune it as they go along. He expressed this was an opportunity to do something for the residents of the city and to give them a defense against this problem.

Councilmember McCarthy agreed that he has dealt with the problem in this district also. He noted that the state tends to put offenders in certain areas where there is affordable living. Overall, he said he supported the ordinance.

Council President Andres Ayala asked what fell under the category of a sexual offender. City Attorney Anastasi said this hadn't been defined in the ordinance per se.

Councilmember Rodgerson said that the designation that the state had was inclusive of a litany of crimes, such as molestation, rape and indecent exposure. But when a person is sentenced, the designation of the crime is determined for the purpose of being registered for a sexual offense. He noted that information regarding this could be found on the state's website.

Council President Ayala questioned if a student was arrested for statutory rape as a minor or if there was an incident where a teacher was having sex with a student, did this person fall within the guidelines of being a sexual offender. Councilmember Rodgerson said if they were convicted of statutory rape they are put on the list, but it is left to the judge's discretion whether or not that person would be mandated to move.

Council President Ayala stressed that they needed to be careful about crafting an ordinance without defining exactly what needs to be done. Councilmember Rodgerson said the state statute currently was not thorough enough and the issue needs to be dealt with further on the state level.

Council President Ayala repeated he had an issue with the whole statutory rape matter, in that persons accused of this, may not always have the resources to obtain a lawyer to protect their rights. Councilmember Rodgerson said that juvenile sex offenders were not part of registered sex offenders.

Council President Ayala asked if there was any grandfathered provision to indicate there is a registered sex offender and that they live in the block they are suppose to and that they paid their debt to society and has done all the court has mandated; does the ordinance now say

they have to be evicted? Councilmember Rodgerson said they implemented a grace period, but the state can evict someone when they want to. Although this may seem harsh, it is state mandated.

Councilmember Gomes questioned the matter of teens as it relates to statutory rape. He pointed out that often times, sex between teens is consensual, but one of the parties may still be tagged as a sex offender. Councilmember Rodgerson replied that it usually takes a lot for the court to put a person on the list as a sex offender.

Councilmember Gomes further noted that requiring a sex offender to move from one place to another caused another problem. Councilmember Rodgerson pointed out that sex offenders had a higher recidivism rate than other offenders and they become a threat to children. And due to circumstances beyond cities control, they tend to be packed into certain areas. But again, the ordinance is an opportunity to protect the children.

Councilmember de Para asked what types of sexual offenders they were trying to bar. Councilmember Rodgerson said registered sex offenders, such as pedophiles and rapists. He reiterated that the thought they should be prohibited from living near day care centers and children's bus stops.

Councilmember Rodgerson read a portion of the proposed ordinance that read, it won't lull people into a false sense of security. He said that nothing they do will increase security for kids in the city, but the ordinance will be a reasonable safeguard.

Councilmember Silva asked what the city attorney's opinion was on this matter. City Attorney Anastasi said the legal opinion didn't go far enough. He asked that the committee not act on the ordinance tonight to allow more time to study the matter. He pointed out they need to consider peoples property rights and other issues such as where they have a right to live. He further stated that to ban people from living within 125 ft. of a school, raises the issue of where they might ultimately end up living. He said they need to show a rational relationship. And the issue was not where they reside, but whether they will interact with children.

Councilmember McCarthy questioned the city attorney's opinion that the ordinance was approved for adoption. City Attorney Anastasi clarified there was an issue with the 125 ft. limitation.

Councilmember McCarthy commented that when a city attorney's opinion comes out, they would like to be able to rely on it.

Councilmember Curwen stated that being the former chair of the Ordinance Committee, he questioned why they act on ordinances at the last minute without having seen the legal opinion beforehand. Secondly, he felt the city council had the obligation to children in the city to protect them. He said he was in support of the ordinance and he agreed there were probably other issues to consider. But the children were a primary concern in Bridgeport. He further noted that Bridgeport was not so different in terms of issues that come up in the suburbs. He further felt that the city needed to step up to address the matter. City Attorney Anastasi

agreed with this comment. But again, he stressed that they need to come up with more research that would be defensible. He said there was the problem of either banning sex offenders from living in the city or concentrate on placing them in other areas. There is no clear way to address this matter without further research.

Councilmember Gomes stated there was also a matter of constitutional rights. He agreed that further study be given to the matter. He emphasized that sexual offenders has been a problem in the city for years and the matter of curtailing people in certain neighborhoods, may not correct the problem. Because there is a good chance they will seek out other neighborhoods, so there's no quick cure.

Councilmember Walsh reminded the committee that they require a written opinion from the city attorney, but they don't require an opinion to say their actions are appropriate. However, he said he agreed with Councilmember Gomes in that further study should be given to the matter. He felt they need to be cautious of the ordinance indicating that the purpose is to throw people out of Bridgeport, because this will surely be challenged.

It was questioned whether Bridgeport could establish an ordinance as it pertains to institutions, daycare centers, private or public schools outside of city limits. City Attorney Anastasi said he wasn't sure. But he reiterated that further study was required. He suggested they not vote on the matter tonight, but wait for an informed opinion.

Councilmember Gomes said the issue needs to be revisited. But again, he thought the ordinance needed more fine tuning, so he said he wouldn't agree to pass the ordinance tonight.

Councilmember McCarthy pointed out that the only way people get on the sexual offender registry was if a bad offense has occurred. And currently the map indicates there are too many offenders living in certain areas. City Attorney Anastasi stressed that the subject was not to be taken lightly. But he felt the advice given so far by the city attorney should be heeded.

Council President Ayala said he wasn't sure how the ordinance would affect his district. But he expressed that in many cases, those under the age of 18 are not "*animals*". He said he would to see a definition for sexual offender clearly defined. Again, they need to be wary of who may end up on the list.

Councilmember Gomes expressed that he knew of some relationships between a 15 year old and a 17 year old and generally, they are not in a relationship that should label them an "animal". Again the matter needs more study. He further said that as it pertains to the city attorney's opinions, they are there to guide the committee and to supplement the committee's thoughts.

Councilmember Rodgeron felt that statutory rape was a small part of a sexual offender's label. He said that registered sex offenders are those that have committed more serious offenses.

Councilmember Curwen said he disagreed with Councilmember Gomes comment about crimes of passion between teenagers, in that they do occur in other areas than big cities.

**** COUNCILMEMBER CURWEN MADE A MOTION TO TABLE
** COUNCILMEMBER GOMES SECONDED
** MOTION PASSED UNANIMOUSLY**

280-04 Proposed amendment to Municipal Code, Chapter 15.08, amended section 15.08.010 Building permit and related fees

Councilmember McCarthy stated this item was on the agenda in error. He noted they need to schedule a joint meeting to address the issue.

**** COUNCILMEMBER CURWEN MADE A MOTION TO TABLE
** COUNCILMEMBER SANTACROCE SECONDED
** MOTION PASSED UNANIMOUSLY**

299-04 Proposed new ordinance to establish a Scholarship Fund for Postsecondary Education for Bridgeport residents

Pivrotto said that she came across a state statute that read that each municipality can designate on a DMV registration form that an amount can be donated to a scholarship fund. The monies would go to the City Treasurer Department and awarded by a scholarship committee. Councilmember McCarthy asked if it was feasible to do this. Councilmember Pivrotto said she met with someone regarding having a check off box on tax bills. They found that by inserting this option on the tax bills, it would take approximately five minutes to do.

Councilmember McCarthy asked the time frame to implement this. Councilmember Pivrotto said it could be effective upon feasibility. She said the city would match up to \$20,000 of what was donated by tax payers. She added they could also solicit donations from other sources.

City Attorney Anastasi said he didn't want a situation of people donating upon the reliance of the city matching the donation, because the city budget may not always be available to do that. He suggested modifying the wording to read **"the city may match the donation"**. It as noted that other rewording was apply as deemed necessary.

Councilmember Pivrotto said that overall this was a good thing to do and build awareness for students to go beyond post education.

Councilmember Curwen asked if it would cost money to change the software to modify the tax bills. Councilmember Pivrotto said it wouldn't cost anything in man hours.

Councilmember Curwen asked who would monitor where the money goes in secondary education. Councilmember Pivrotto said it would be allotted by establishing a scholarship committee or by the Bridgeport Scholarship Foundation.

Councilmember Walsh said the only problem with establishing a baseline dollar amount, and if it was not required, it becomes too easy **not** to set aside the money. City Attorney Anastasi said they couldn't mandate that monies would be available every year. So he suggested the correct wording apply that should read:

The City of Bridgeport shall establish a goal of contributing a match of city funds up to \$20,000.00. This would be effective upon the city's infrastructure to support the program.

(Note: Councilmember McCarthy will submit the modification to the ordinance to the City Clerk's office).

**** COUNCILMEMBER SILVA MADE A MOTION TO APPROVE AS
AMMENDED WITH A PUBLIC HEARING SCHEDULED BEFORE THE
NEXT CITY COUNCIL MEETING
** COUNCILMEMBER CURWEN SECONDED
** MOTION PASSED UNANIMOUSLY**

ADJOURNED

**** COUNCILMEMBER CURWEN MOVED TO ADJOURN
** COUNCILMEMER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services

City of Bridgeport
Ordinance Committee of the City Council
October 25, 2005
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CITY OF BRIDGEPORT
ORDINANCE COMMITTEE of the CITY COUNCIL
NOVEMBER 7, 2005

ATTENDANCE: COUNCIL MEMBERS: McCARTHY, SILVA,
SANTACROCE

OTHER(s) PRESENT: COUNCILMEMBER Andres Ayala

ABSENT: COUNCIL MEMBERS: CURWEN, ANDERSON AYALA,
GOMES, FREER

Councilmember McCarthy called the meeting to order at 6:05 p.m.

(262-04) Proposed amendment to Municipal Code of Ordinances: Rescinding Code Sections 3.12.010 and 3.12.020 (Chapter 3.12 EQUAL OPPORTUNITY REQUIREMENTS FOR CONTRACTORS) and adding New Section 3.12.010 Small Business Enterprise Program

The Co-Chair asked if there was anyone to speak in favor

Attorney Ron Pacacha stated the most important thing about the ordinance was to address past wrongs with businesses in city. The ordinance is a platform to build from and it will be administered by the highest levels in the administration to contract with minority businesses in the city. The ordinance covers a broad range of contracting and it complies legally with the disparity study. He said the most important feature is that the disparity study found they could set up a pool of small business contracting that will be inclusive of goods, services and products and when the bids go out, they can learn more. The ordinance will benefit minority owned, women owned and small businesses. It will provide a uniform system for posting bids at the local level. He went on to say that a prompt payment system will be established allowing for timely payments to contractors. The procedure established was for challenging bids and awards. But all efforts place a minimum burden on Bridgeport businesses that aren't protected. So the ordinance will correct the historical defect without hurting businesses. He urged passing of the legislation.

Mr. Feeney highlighted details of the ordinance. He said school construction projects were discussed. And the Intermodel System was advertised for bids. There will be unbundling of projects. And the City Trust renovations will provide a platform for volunteering services. They prepared an amendment for the school construction for contractors to bid on. The program administrator has begun to review the software operations to accommodate small, women and minority businesses. He also urged approval of the legislation.

The Co-Chair asked if there was anyone to speak against
Hearing none, the public hearing was closed

**** COUNCILMEMBER SILVA MOVED TO CLOSE THE PUBLIC HEARING
** COUNCILMEMBER SANTACROCE SECONDED
** MOTION PASSED UNANIMOUSLY**

**(299-04) Proposed amendment to Municipal Code of Ordinances: Chapter 3.16
PROPERTY TAXES, New Section 3.16.170 Motor vehicle property tax
check-off for local scholarship fund**

The Co-Chair asked if there was anyone to speak in favor
The Co-Chair asked if there was anyone to speak against
Hearing none, the public hearing was closed

**** COUNCILMEMBER SANTACROCE MOVED TO CLOSE THE PUBLIC
HEARING
** COUNCILMEMBER SILVA SECONDED
** MOTION PASSED UNANIMOUSLY**

ADJOURNED

**** COUNCILMEMBER SILVA MOVED TO ADJOURN
** COUNCILMEMER SANTACROCE SECONDED
** MOTION PASSED UNANIMOULSY**

The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services