

CITY OF BRIDGEPORT  
JOINT MEETING  
BUDGET COMMITTEE *and* MISCELLANEOUS MATTERS COMMITTEE  
DECEMBER 27, 2005

**ATTENDANCE BUDGET COMMITTEE**

COUNCILMEMBERS: CURWEN, MOJICA, McCARTHY, SILVA, WALSH,  
CURRAN, VIZZO-PANICCIA

**ATTENDANCE MISCELLANEOUS MATTERS COMMITTEE**

COUNCILMEMBERS: MOJICA, VIZZO-PANICCIA, PAOLETTO, WALSH,  
AYALA(sat in to make a quorum)

OTHER(s): COUNCILMEMBERS: LYONS, MULLIGAN, PIVIROTTO  
ASSOCIATE CITY ATTORNEY TRACHTENBURG,  
ED LAVERNOICH; OPED, CHARLES CAROLL; CHIEF OF  
STAFF, CEFAB REPRESENTATIVES

Councilmember Curwen called the meeting to order at 7:35 p.m. He reviewed the ground rules for conducting the meeting. He stated that four (4) votes would be needed from each committee for the resolution to pass.

**28-05 Real Estate Taxes on a Property Undergoing Environmental Remediation**

Mr. Lavernoich stated he was from the Office of Planning and Economic Development. He stated that a resolution had been drafted to authorize the Mayor to forgive back taxes due at 552 Housatonic Avenue. He explained that the new owner would conduct the remediation. He said he would give a history of the property, an update on the current conditions, the tax situation and settlement. He went on to speak about property in question. He displayed an aerial map and pointed out the former Bridgeport Brass property that had been an active company in Bridgeport for 90 years. The property covered 28-acres in the center of the city. He noted that Bridgeport Brass abandoned the property in 1980 and there has been no productive use of the property since 1980, except for a trash hauling operation. The former buildings at 552 Housatonic Avenue consist of 400,000 + square feet were there are large pits in the ground and enormous foundations that will cause environmental problems cleaning it up. The buildings were removed in 1990 and 2000 and there have been various phases of clean up since then. He continued to speak about how Mr. DiNardo acquired the company from Capital Asset in 1998, after three years of them not paying taxes, Mr. DiNardo made a contract to pay back the taxes amounting to \$300k. Mr. DiNardo started the remediation and demolition in 1999 and began discussions with the city in 2000, however, he was unable to get a clear answer

from the prior administration and he started seeing the costs escalate. At the time the costs were approximately \$4million (*Mr. Lavernoich had a document indicating this*), but he noted that he wasn't sure if it could be considered an official accurate document. Subsequently, Mr. DiNardo provided a document from a licensed environmental professional that there was approximately \$1million + to be done in remediation costs, beyond what was already done.

Councilmember Curwen asked if Delta Environmental was a subsidiary of Capital Asset. Mr. DiNardo said no.

Mr. Lavernoich explained the settlement and said that under the 1997 law, there were two different options. There was a provision to allow a prospective purchaser to buy a property and get all or a portion of the back taxes waived, but this option wasn't considered by the city. So they took into consideration the documents and the letter from the professional engineer, as well as the total outstanding taxes due currently (*this was outlined in a listing he distributed*) in the amount of \$1.6 million. He further explained that the law passed in 1997, didn't allow taxes from 1996 and 1997 to be forgiven, so Mr. DiNardo paid the 1997 taxes as it was outlined in the document. He further noted the amount Mr. DiNardo would pay immediately, noting that the total principal amount was \$689,354.06, but that he would pay a little more than the outstanding amount of approximately \$695k.

Councilmember McCarthy asked if the proposal was to pay the 1995, 1996 and 1997 taxes. Mr. Lavernoich said yes and the subsequent years taxes would be forgiven.

Mr. Lavernoich reiterated that Mr. DiNardo would pay the \$695k immediately and complete the clean up as approved by the Environmental Protection Agency (EPA) Commissioner. This will have to be shown by a document indicating the clean up has been done. But the interest and penalties will continue on top of the \$695k and he will have nine months to a one year to complete the cleanup. But if he doesn't complete it, then the foreclosure continues until the taxes are paid, otherwise he will lose the property.

Mr. Lavernoich said they would get the \$695k immediately, he mentioned that he hoped this would compel Mr. DiNardo to clean up the property in a reasonable amount of time.

Councilmember McCarthy asked then if they were forgiving years 1998 to 2004 taxes. Mr. Lavernoich said that was the intention, but again, if the clean up was not done within the next few months, then the old taxes will begin rationing up fees.

Councilmember Curwen asked if the reason the 1995, 1996 and 1997 taxes were not applicable, was because the law didn't predate paying those taxes. Mr. Lavernoich said that was correct.

Councilmember Ayala asked in regard to the clean up, what standard was the city requiring for cleaning up the property. Mr. Lavernoich said they were going by the state standards that are driven by the reuse of the property i.e., the more aggressive the use, there are more restrictive standards. This protects people from pollution surrounding a residential use.

Mr. Lavernoich summed up the process of what would happen if the resolution was approved.

Councilmember McCarthy asked Mr. Lavernoich to point out the area in question on the map. Mr. Lavernoich pointed out the area and said it was 12.5 acres south of Grand Street; there was 450,000 sq. ft. of building. Again, the property was purchased from Capital Asset in 1998 and has undergone clean up since then.

Mr. Lavernoich expressed the importance of encouraging this type of activity. He said they tried to get the state and city assistance for the clean ups, but it would cost between \$6 and \$7 million and probably would have been done less effectively by either. So they thought they would have to find the resources to demolish the buildings and clean them up. He further stressed that he wanted to encourage the clean up of brown fields, in that, perhaps other people might come forward to do so. Councilmember Curwen concurred with the statement that something was needed to do this, but he questioned whether each case should be taken case-by-case. Mr. Lavernoich said yes, but he noted the procedure should have a broad criterion, wherein, the city would consider tax breaks for those types of clean up.

Councilmember Mojica asked if Mr. DiNardo qualified for the tax break under the state statute. Mr. Lavernoich said that according to Attorney Trachtenburg he did.

Councilmember Mojica asked about assurances on the city side, that the clean up in fact gets done and what those assurances were. Mr. Lavernoich said they would get \$695k immediately and then it will be agreed that the taxes would continue for the part not forgiven and that Mr. DiNardo has proven that he has cleaned up the site in accordance with the Connecticut standards. And until he does, the remainder of the back taxes will continue.

Attorney Trachtenburg said the state statute Sec. 1281-R requires completion of the clean up prior to the power to forgive the taxes. That is, the statute gives the authority to make that assurance and the person must complete the remediation.

Councilmember Ayala questioned who Housatonic & Grand LLC were as it was outlined in the resolution. Mr. Lavernoich said they were another single purpose corporation established and controlled by Mr. DiNardo. He clarified that he has to transfer to another entity to meet the threshold requirement.

Councilmember Ayala also questioned if the property wasn't cleaned up, were there any restrictions that would be deemed inappropriate to put another business in that might be detrimental to the city. Mr. Lavernoich asked if he meant restricting activities and what is eventually built there. Attorney Trachtenburg said this would have to be legal and outlined in the plans of the city, but she noted that as a practicality there might be certain restrictions.

Councilmember Walsh asked about asbestos in the building. Mr. Lavernoich said asbestos removal would require special handling during demolition.

Councilmember Walsh asked if remediation of the ground was necessary, would asbestos removal be required. Mr. Lavernoich said that was fair to say.

Councilmember Walsh asked who actually owned the property at this time. Mr. Lavernoich said that Grand Brass LLC was on the Tax Assessor's record as of today.

Mr. DiNardo said he purchased the property under Grand Brass LLC and he subdivided it into Grand Brass and Grand Brass II. And then he had to create another entity to take the title.

Councilmember Walsh asked if the property currently had a gross assessment of \$2 million. Mr. Lavernoich said that seemed to be accurate.

Councilmember Walsh asked then if there was a negative net worth attached to the property, i.e., does the property owner owe more to the City of Bridgeport than the property was worth. Mr. Lavernoich said the property could be under water as far as the value of it, but he said he would have to research that point.

Councilmember Walsh questioned why they were approving a resolution and not a final legal document. He questioned why they didn't wait until the final document was drawn up. Mr. Lavernoich explained they had limited legal staff and the documents take time to put together. So they try to put strict parameters on the deal first and then if the council is supportive, they then dedicate the time to drawing up the final document.

Councilmember Walsh further questioned whether there were still negotiations going on, and if so, why was a resolution being proposed. Mr. Lavernoich said because there were all kinds of nuances to finalize the agreement. Attorney Trachtenburg added it could also be a matter of how the insurance is applied on the property and other minor details outlined in the contract. But there have to be some parameters to get the document into final form. She noted that small nuances don't always affect the substance of the deal.

Councilmember Curwen asked if the word "negotiate" would have to be included in the deal then. Attorney Trachtenburg said yes, it would have to be.

Councilmember Mojica asked if the resolution passed and the final agreement was made, did it have to come back to the full council. Mr. Lavernoich said no, they didn't plan for that.

Councilmember Mojica stated that in the event there was any language changed in the agreement, he felt the matter should come back to the council, just in case there was something contained in it that they didn't agree with. Mr. Lavernoich said if anything changed, such as the amount of taxes paid, then it would definitely come back to the council.

Attorney Trachtenburg explained that for insurance bonds, clauses are included in the contract to protect the city. And whether it be by bond or title insurance, it seemed repetitive to bring those issues to the council, because one they get the broad bones of the structure of the agreement, all protective measures to the city are incorporated into the contract.

Councilmember Walsh asked about the property being subject to a spill. Mr. Lavernoich said there was hazardous waste released in the past, but they relied on subparagraph 2 to address this (*Councilmember Walsh read the paragraph*). He asked if they had environmental protection for the property. Mr. Lavernoich said no, but again, Mr. DiNardo **must** provide that or the taxes will not be forgiven.

Mr. Lavernoich said Mr. DiNardo has to get the plan approved, implemented and completed. It must satisfy the DEP commissioner and the city has to see proof of this, and then and only then, will the taxes be forgiven.

Councilmember Walsh further stated that they should have had that information first before the tax is abated. Mr. Lavernoich said they could get the plan in place, but it will not get guaranteed until the environmental professional assesses the matter.

Councilmember Walsh questioned when the state drafted legislature, did they envision one LLC selling to the same LLC as impetus for remediation. He felt this was indicative of a sham transaction. Mr. Lavernoich said the goal was to get private parties to clean up properties.

Councilmember Walsh questioned the wording "Rather the Tax Forgiveness Act states that the municipality must "deem" the property to be "abandoned" as it was outlined in Mr. DiNardo's letter. Mr. Lavernoich said abandoned was a term in the statute, but here it's just a determination of the city council. But he represented that the property was abandoned and has the potential to be cleaned up.

Councilmember Walsh felt that if the agreement didn't meet the legislative intent, then he didn't think the resolution should be passed.

Councilmember Walsh questioned the property that was purchased in 1998 with tax liens. Mr. Lavernoich said that Mr. DiNardo bought the property with three years back taxes that Capital Asset didn't pay. He purchased it subject to back taxes and he thought the costs be absorbed and that he could control the costs, but they escalated and that's when he approached the city under the statute.

Councilmember Walsh asked about contemplation of warehousing that is the lowest use of the land and sees the lowest tax base. Mr. Lavernoich said there were appropriate places in the city for that type of use, although he didn't wish to see them dominate in the city.

Councilmember Walsh questioned the land being used for school swing space. Mr. DiNardo clarified that Bridgeport Machine was offered for that use, not Bridgeport Brass.

Councilmember Walsh asked about the Soccochi Plan. Mr. Lavernoich said the plan was recommended for water dependant uses and not industrial, but in the plan, some industrial would allowed. However, the dominate use was preferred.

Councilmember Walsh emphasized that unless the city came up with a structured way for plans to go forward, as well as having a manner to allow competitive bidding that would result in the best tax break for the city; he urged his fellow councilmember to push for developing a comprehensive plan by which to judge these types of agreements favorable.

Councilmember Curran commented that she found it hard to defend to the taxpayers that they would go in and help a private developer, with no guarantee of the type of product that will go on the property. She said she felt uncomfortable with the scope of the resolution and she thought it was shortsighted and not in the best interest of the city. She also mentioned that she was resentful that they didn't have an up to date master plan or an inventory of these types of assets. Overall, she thought it was a lot to digest and was a reactive not a proactive agreement.

Councilmember Curwen stated that it wouldn't cost the taxpayers anything, since it hasn't for the last 25 years. He stressed that if they don't take the brown-fields of land and put them back to use, then this would ultimately present a dilemma, in that these pieces of land wouldn't end back up on the tax roll.

Councilmember Mojica commented that they probably wouldn't find many bidders willing to spend on brown fields. This was a business transaction and for someone to offer to clean one up was a rarity.

Councilmember Mojica asked Mr. DiNardo's thoughts on the matter. Mr. DiNardo stated that Mr. Lavernoich pretty much covered everything. But he said that when he started the project, he was going to be next to the courthouse, that would have been a viable location then, but now the property is next to a crushing and steel plant, so

admittedly he made a mistake in not asking for a waiver from the city. He said that currently he pays \$1 million in taxes to the city on square footage he has in the city. He went onto say he began buying brown fields to try to make money from them and although he realizes that everyone pays taxes, if he has the opportunity to lower his taxes, it's a benefit to him. He further explained that he is in the leasing business to buy and build properties. Overall, he is in business to make money.

Councilmember Paoletto stated that they shouldn't lose sight of the issue, in that Mr. DiNardo is a businessman. And although buying brown fields is a new concept in Bridgeport, it's not throughout the state. He thought Mr. DiNardo's proposal would be beneficial to the city long term. He didn't think anyone else would be interested in the property until it was cleaned up, so he thought it was the best solution to go forward.

Councilmember Silva said he agreed with Councilmember Paoletto. He asked about the future of the site and if there could possibly be anything else put there where more taxes would be generated. Mr. DiNardo said if they let him have the steel mill, he believed he could put in the types of businesses that would be a viable asset to the city such as offices.

Councilmember Silva said the property was in his district and he had a concern about trucking and children in the area. So if he had a choice, he would rather see more retail and lofts, instead of a rock crushing or distribution center where there will be a lot of trucks emitting fumes that are hazardous to one's health. Although he understood Mr. DiNardo would build to the best of his use, he asked if he had any other angles for building. Mr. DiNardo said he couldn't just market a heavy retail use on the site, and he honestly didn't see the site as any other thing but warehousing and distribution. Councilmember Curwen asked if it was possible to add a clause stating that if the resolution was approved, the matter would have to come back to the committee or full council as to what is built on the parcel. Attorney Trachtenburg said it would be next to impossible to structure a deal on an uncertainty. But if they had a definitive parameter it could possibly be done. But they couldn't do it on an uncertain contingency.

Councilmember Mulligan asked about the Delta appraisal dated February 28, 2005 and if any work had been done since then. Mr. Lavernoich said there has been active remediation. Mr. DiNardo said he did a little work on the site to try to decide how to take on certain clean up measures.

Councilmember Curwen asked if any monies have been worked off in the remediation to date. Mr. DiNardo replied that a little bit has. He thought the city should help him out on the \$4 million he already spent, noting this was only reasonable.

Councilmember Mulligan asked if they were all third party suppliers. Mr. DiNardo said yes, he said he owned the companies that did the work, but all the hours were documented for the time spent doing it.

Councilmember Paoletto commented that because this was a joint meeting, he asked if two motions had to be made. Councilmember Curwen said yes.

**\*\* COUNCILMEMBER PAOLETTO MOVED TO APPROVE AS A MEMBER OF THE MISCELLANEOUS COMMITTEE**

Councilmember Paoletto withdrew his motion

Councilmember Ayala said he would like to see language in regard to the types of development already seen that are not deemed acceptable by the city, such as a rock crushing operation. Attorney Trachtenburg said as long as the request was for something **specific** it could be done.

The following is a piecemeal amendment to the resolution (*see the completed amendment on page 9*)

“AMENDMENT TO THE RESOLUTION TO RESOLVE THAT: IF ALL THE CONDITIONS ARE MET AS OUTLINED IN THE RESOLUTION, THAT ANY FUTURE DEVELOPER ON THES SITE, SHOULD NOT DEVELOP THE PIECE OF PREPRTY INTO AN ASPHALT PLANT OR ROCK CRUSHING OPERATION.

Attorney Trachtenburg added that the tax forgiveness should be specific to the potential purchaser, so the language should be indicative of any prospective purchaser or any subsequent recipient of benefits.

**\*\* COUNCILMEMBER AYALA MOVED FOR THE MISCELLANEOUS MATTERS COMMITTEE THAT THE RESOLUTION BE AMENDED AS FOLLOWS:**

**NOW THEREFORE, BE IT RESOLVED THAT UPON THE EVENTS THAT THE DELINQUENT REAL PROPERTY TAXES, INTEREST AND LIEN FEES ON THE PROPERTY ASSOCIATED WITH THE GRAND LISTS OF 1995, 1996 & 1997 ARE PAID IN FULL ON OR BEFORE MARCH 31, 2006; H&G ACQUIRES FEE TITLE TO THE PROPERTY; H&G OBTAINS AN ENVIRONMENTAL INVESTIGATION OR REMEDIATION PLAN APPROVED BY THE COMMISSIONER OF ENVIRONMENTAL PROTECTION OR A LICENSED ENVIRONMENTAL PROFESSIONAL; AND H&G COMPLETES OR CAUSES TO BE COMPLETED SUCH REMEDIATION FOR AN ESTABLISHMENT AS DEFINED IN SECTION 22A-134 OF THE CONNECTICUT GENERAL STATUTE, ALL THE AFOREMENTIONED CONDITIONS TO BE MET TO THE REASONABLE SATISFACTION OF THE OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT, AND THE**

**PROSPECTIVE PURCHASER AND/OR ANY SUBSEQUENT RECIPIENT OF THE BENEFITS OF THE TAX FORGIVENESS CONTEMPLATED HEREIN AGREE NOT TO DEVELOP, NOR TO ALLOW FOR 20 YEARS THE DEVELOPMENT, OF THE PROPERTY INTO ANY ASPHALT PLANT OR ROCK CRUSHING OPERATION, WHEREUPON THE CITY OF BRIDGEPORT SHALL AND CONDITIONED AS ABOVE, FORGIVE THE REAL PROPERTY TAXES AND INTEREST REFLECTIVE OF THE GRAND LIST YEARS OF 1998, 1999, 2000, 2001, 2002, 2003 AND 2004, AS RELATING TO THE PROPERTY, BLOCK 1534 LOT 01.**

**AND BE IT FURTHER RESOLVED that the Mayor be and is hereby empowered and authorized to negotiate and execute, in consultation with the Office of the City Attorney, any and all documents reasonably necessary to effectuate completion of the remedial clean-up of the Property and effectuate the forgiveness of taxes as outlined above.**

**\*\* COUNCILMEMBER PAOLETTO SECONDED**

Councilmember Walsh stated that he would vote for the amendment to the resolution but not the resolution.

Councilmember Vizzo-Paniccia asked if the amendment would be across the board for all companies. Councilmember Curwen said it would be case-by case.

**\*\* MOTION PASSED UNANIMOUSLY**

**\*Approved by Councilmember's: Walsh, Mojica, Vizzo-Paniccia and Paoletto**

**\*\* COUNCILMEMBER PAOLETTO MOVED TO APPROVE THE RESOLUTION AS AMENDMENEED FOR THE MISCELLANEOUS MATTERS COMMITTEE**

**\*\* VIZZO-PANICCIA SECONDED**

**\*\* MOTION PASSED WITH FOUR VOTES IN FAVOR AND ONE VOTE IN OPPOSITION (COUNCILMEMBER WALSH)**

**\*Approved by Councilmember's: Paoletto, Vizzo-Paniccia, Ayala, Mojica**

**\*\* COUNCILMEMBER McCARTHY MOVED TO APROVE THE RESOLUTION AS AMENDED FOR THE BUDGET COMMMITTEE**

**\* VIZZO-PANICCIA SECONDED**

**\*\* MOTION PASSED WITH FIVE VOTES IN FAVOR AND TWO VOTES IN OPPOSITION (COUNCILMEMBERS: CURRAN and WALSH)**

**\*Approved by Councilmember's: Curwen, Vizzo-Paniccia, McCarthy, Silva,  
Mojica,**

\*It was stated that the following documents will be submitted to the City Clerks office by Councilmember Curwen:

- The final amended resolution
- The original resolution
- The questions asked by Councilmember Walsh during the meeting

**ADJOURNED**

**\*\* COUNCILMEMBER PAOLETTO MOVED TO ADJOURN  
\*\* COUNCILMEMBER VIZZO-PANICCIA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Diane Graham  
Telesco Secretarial Services

CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
DECEMBER 27, 2005

ATTENDANCE: COUNCILMEMBERS: MOJICA, VIZZO-PANICCIA,  
PAOLETTO, ANDRES AYALA (sat in to make a quorum)

ABSENT: COUNCILMEMBERS: RODGERSON, WALSH, GOMES,  
BAKER

OTHER(s): ROBERT TETREAULT

Councilmember Mojica called the meeting to order at 6:55 p.m.

**01-05 Refund of Excess Payments**

Mr. Tetreault stated that his was an excess payment for J.P. Morgan Chase in the amount of \$66,889.95. He noted it resulted in a stipulated court decision judgment.

**\*\* COUNCILMEMBER VIZZO-PANICCIA MOVED TO ACCEPT  
\*\* COUNCILMEMBER PAOLETTO SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

\*Consent calendar

**20-05 Refund of Excess Payments**

Mr. Tetreault stated this was an excess payment in the amount of \$18,920.84 for ICON. He noted they paid the wrong account.

Councilmember Mulligan asked if they have since paid the correct account. Mr. Tetreault said yes.

**\*\* COUNCILMEMBER VIZZO-PANICCIA MOVED TO ACCEPT  
\*\* COUNCILMEMBER PAOLETTO SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

\*Consent Calendar

**ADJOURNED**

**\*\* COUNCILMEMBER VIZZO-PANICCIA MOVED TO ADJOURN  
\*\* COUNCILMEMBER AYALA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Diane Graham  
Telesco Secretarial Services

CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
JANUARY 23, 2006

ATTENDANCE: COUNCILMEMBERS: MOJICA, RODGERSON, PAOLETTO,  
VIZZO-PANICCIA, WALSH

ABSENT: COUNCILMEMBERS: BAKER, BLUNT

OTHER(s): COUNCIL MEMBER: AYALA  
Brian Williams, Deputy CAO; Attorney Kanasky

Councilmember Mojica called the meeting to order at 6:33 p.m.

Approval of committee meeting minutes: December 27, 2005

**\*\* COUNCILMEMBER PAOLETTO MOVED TO ACCEPT THE MINUTES  
\*\* COUNCILMEMBER VIZZO-PANICCIA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**34-05 Installation of a Veterans Memorial Monument at South  
Frontage Street**

Councilmember Paoletto updated that there were (16) people on this committee.

Mr. Williams said the committee was formed by Council President Ayala and Mayor Fabrizi. For 1 ½ years they have been looking at Veteran's Memorial Park, so they reached out to the parks department to develop it. And last year, for the veteran's parade they held a ceremony at McLevy Park. So since the downtown area will be developed to contain numerous activities, it was recommended that they look to put the monument between the Bluefish Stadium and the Harbor Yard Arena. They voted and agreed where it should go. And that's why the matter is back to committee for approval. He further stated that Sylvester Salcedo was also leading a group of people to spearhead a monument dedicated to those that served in the armed forces.

Councilmember Paoletto stated that as far as the funding, the Mucci group was picking up the tab for the brick work, shrubberies etc.

Mr. Williams agreed that was correct. He stated they were also planning a fundraiser before Memorial Day. But they have the potential location that will attract visitor's downtown.

Councilmember Paoletto added that fielders were put out as to what was envisioned, but they needed a site selected first. So they will work with Housatonic Community College to do the renderings and designs that will be submitted to the art department.

Councilmember Mojica asked what site they were talking about. Mr. Williams said it was site near the green on Broad Street and South Frontage Street, near the arch that separates the ballpark, where the 99.9 radio station is usually set up.

Councilmember Mojica asked if the city would be in charge of maintaining the landscaping. Mr. Williams said yes,

Councilmember Mojica asked if the monument would be for World War II veterans. Mr. Williams said yes, as well as for Korean War and Middle East veterans. It will consist of a wall with an honor roll to list those killed in action.

Councilmember Walsh asked if there was any discussion as to moving the other monument to this site. Mr. Williams said that subject hasn't been brought up. Councilmember Vizzo-Paniccia said it was discussed, but it was thought that they would leave the other monument in place due to the cost involved to move it.

Councilmember Walsh thought it might be a good idea to move the other monument, so that both are in one location and there is no disconnect in those being honored.

Councilmember Paoletto said the majority of people felt that since the monument would be done through private funding, the consensus was that they would have the proposed monument separate.

Mr. Williams returned to the matter of relocating the other memorials to the new site. Attorney Tom Kanasky pointed out actual site on a drawing. He stated that this was a joint venture, in the sense that the location was brought to his attention by the Mayor and at the same time they would be honoring Henry Mucci, but it struck them that the city never honored him as a WWII hero. So they felt they could name the green the Henry Mucci Memorial Green. So it was a twofold idea to dedicate the green to Colonel Mucci and to build the WWII monument on his green. Councilmember Paoletto said he thought the committee felt it was a good idea, but not necessarily to do both for this proposal.

Attorney Kanasky commented that the Ford Motor Company was ready to dedicate funds to honor Colonel Mucci.

Councilmember Rodgerson asked if there was an estimate of the funding of what it might cost. Attorney Kanasky gave an example that the Town of Stratford raised \$100k by

holding fundraisers and selling bricks and the memorial cost \$35k. He noted that this committee will need to raise money for this proposal.

Councilmember Paoletto said this committee was in charge of giving approval for the site location and then they would take the renderings to obtain an estimate.

Councilmember Mojica said that what was in front of the committee was a memorial, but when they have dedications on Veteran's Day and Memorial Day, it would be nice to honor the different conflicts of wars and recognized those vets from Bridgeport.

Councilmember Walsh commented that it made sense to have all the memorials in one location.

Councilmember Walsh asked about property rights concerning the Harbor Yard Arena. He questioned if there would be a problem with them claiming rights to this site. Mr. Williams said it was city owned property and a contact person at Harbor Yard Arena was contacted and there is no issue to date. He further clarified that the city would be responsible for maintenance.

Councilmember Rodgeron asked what the status was for the Park City Hall of Fame. It was stated that a committee was formed and Councilmember Dye was the chairman, but it wasn't known if there have been any meetings to date.

Councilmember Paoletto clarified that the correct naming of the monument would be: **"The Colonel Henry C. Mucci Memorial Green"**.

**\*\* COUNCILMEMBER MOJICA MOVED TO APPROVE THE  
INSTALLATION OF A VETERANS MEMORIAL MONUMENT AT  
SOUTH FRONTAGE STREET TO BE NAMED AS AMENDED:  
- THE COLONELHENRY C. MUCCI MEMORIAL GREEN  
\*\* COUNCILMEMBER PAOLETTO SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

Councilmember Rodgeron questioned in the absence of the actual resolution, what were they approving tonight. Councilmember Paoletto read a letter that outlined the approval of the site for **THE COLONELHENRY C. MUCCI MEMORIAL GREEN** - the letter was submitted on October 17, 2005 by Councilmember Paoletto.

Councilmember Rodgeron asked what other things were considered to go on the site. Mr. Williams said none as far as he knew.

ADJOURNED

**\*\* COUNCILMEMBER RODGERSON MOVED TO ADJOURN**

**\*\* COUNCILMEMBER PAOLETTO SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Diane Graham  
Telesco Secretarial Services

**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS  
FEBRUARY 27, 2006**

**ATTENDANCE:** Rafael Mojica, Chairman; Richard Paoletto, AmyMarie Vizzo-Paniccia, Robert Walsh, Keith Rodgerson, Andre Baker (6:35 p.m.)

**OTHERS:** Ralph Jacobs, Personnel Director - Civil Service; Thomas Mulligan, City Council member; Fire Chief Rooney, Mark Anastasi (6:40 p.m.), Ishmael Hernandez, Bpt. Fire Inspector; Jeffrey Kohut, Robert Tetreault, Tax Collector

**CALL TO ORDER**

Mr. Mojica called the meeting to order at 6:30 p.m.

**APPROVAL OF COMMITTEE MINUTES OF JANUARY 23, 2006**

**\*\* MS. VIZZO-PANICCIA MOVED TO TABLE THE MINUTES OF JANUARY 23, 2006.**

**\*\* MR. PAOLETTO SECONDED.**

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

**49-05 CLASS SPECIFICATION (JOB DESCRIPTION) FOR THE FIRE  
MARSHAL CODE #3213**

Mr. Jacobs introduced himself to the Committee and distributed copies of an updated job description for the Fire Marshall. He pointed out that on page three of the description, under Item 3, Minimum Qualification Requirements: the listing currently reads "Fire Captain, Senior Fire Inspector, Fire Inspector, Fire Assistant Chief or Fire Deputy Chief." but it should be amended to read "Fire Captain, Senior Fire Inspector, Fire Inspector, Fire Deputy Marshal, Fire Assistant Chief or Fire Deputy Chief."

Mr. Mojica wished to know if the position was currently filled. Mr. Jacobs replied that the position was provisionally filled.

*Mr. Andre Baker arrived at 6:35 p.m.*

Ms. Vizzo-Paniccia asked about the qualifications and Mr. Jacobs explained that the promotional exam would be given from within the department. If the City was required to look outside the department, the qualifications are listed in the final paragraph of the job description.

Mr. Walsh asked how many employees were currently in the Fire Marshal's department and Mr. Jacobs reviewed the ten department positions for him.

**\*\* MR. PAOLETTO MOVED TO APPROVE THE JOB DESCRIPTION FOR THE FIRE MARSHAL CODE #3213 WITH THE AMENDED LIST OF QUALIFICATIONS ON PAGE 3 AS "FIRE CAPTAIN, SENIOR FIRE INSPECTOR, FIRE INSPECTOR, FIRE DEPUTY MARSHAL, FIRE ASSISTANT CHIEF OR FIRE DEPUTY CHIEF."**

**\*\* MS. VIZZO-PANICCIA SECONDED.**

**\*\* THE MOTION PASSED WITH THREE IN FAVOR ( RODGERSON, VIZZO-PANICCIA, PAOLETTO), ONE AGAINST (WALSH) AND ONE ABSTENTION (BAKER).**

At this point, Fire Inspector Hernandez asked to be recognized by the Committee. Mr. Mojica recognized Fire Inspector Hernandez. Attorney Anastasi asked Mr. Hernandez whether he was speaking as a member of the public or if he was speaking as member of the Fire Department and a City employee. Mr. Hernandez stated that he was about to inform the Committee that he is also the treasurer of the Bridgeport Hispanic Firefighters Association and a member of the International Association of Hispanic Firefighters. He stated that this issue was a source of contention in the Department. Mr. Mojica asked Mr. Hernandez if he was representing the Fire Department or the public. Mr. Hernandez stated that he was present in opposition to the passing of this mandate because of its discriminatory effects, as a stake holder. Mr. Mojica asked him if he was here as a member of the public. Mr. Hernandez replied that he was present as a member of the public. Mr. Mojica restated the fact that Mr. Hernandez was against the mandate and Mr. Hernandez agreed. Mr. Hernandez went on to inform the Committee that he had an official statement and Mr. Mojica replied that he was not going to accept any statements because the Committee had already voted on the issue, however Mr. Mojica wished to hear what Mr. Hernandez had to say. Mr. Hernandez thanked the Mr. Mojica for allowing him to speak and asked what the next step in the process would be. Mr. Mojica replied that the mandate would go to the full City Council. Mr. Hernandez asked if there would be a public hearing. Mr. Mojica replied that he did not know, and Attorney Anastasi stated that he would defer to whatever the Charter required, but he was not prepared to answer that question. He continued that if a public hearing was required by the Charter, one would be held. Mr. Hernandez stated that as a stake holder within the Fire Department and as a person against the exam, he would like to address the Council regarding the discriminatory effects. Attorney Anastasi informed Mr. Hernandez that in the event that there is no formal public hearing, Mr. Hernandez would have the opportunity to sign up to speak to the Council during the public speaking portion of the meeting, which is prior to the Council meeting. Mr. Hernandez stated that he appreciated Attorney Anastasi's assistance. Mr. Mojica added that Mr. Hernandez could sign up a week in advance to be included on the list.

**55-05 REAPPOINTMENT OF JEFFREY KOHUT (D) TO THE ETHICS COMMISSION**

Mr. Kohut introduced himself to the Committee and stated that he lived at 30 Whitcliff Circle in Bridgeport. Mr. Mojica Mr. Kohut stated that he had been on the Ethics Committee since October of 2005. Mr. Kohut had stated that he did not have any personal or professional conflicts to prevent him from continuing on the Commission and found it to be a positive experience. Mr. Mojica stated that Mr. Kohut had attended all the meetings that had taken place.

Mr. Paoletto stated that he knows Mr. Kohut and that he would be voting in favor of re-appointing Mr. Kohut. Mr. Baker asked for a brief overview of what the Ethics Commission did. Mr. Kohut explained that the Commission investigated ethics questions and situations and rendered opinions upon request. Mr. Rodgerson asked if there were areas that needed expansion. Mr. Kohut replied that it could be possible but it would take a great deal of careful thought before doing so. He also added that while his first Ethics meeting was in October, he was sworn in during September.

**\*\* MR. PAOLETTO MOVED TO REAPPOINT JEFFREY KOHUT (D) TO THE ETHICS COMMISSION.**

**\*\* MR. RODGERSON SECONDED.**

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

**56-05 CLASS SPECIFICATIONS (JOB DESCRIPTION) FOR THE TAX COLLECTOR CODE #1612**

Mr. Jacobs explained that there had not been a job description for the Tax Collector. This issue came to light when Mr. Tetreault announced that he would be retiring. The Charter only contains two lines about the Tax Collector. *Mr. Jacobs distributed a copy of a proposed job description to the Committee.* Mr. Walsh asked how many people were in the Tax Collector's department. Mr. Tetreault informed the Committee that there are sixteen positions in the department and listed them for Mr. Walsh. He also added that the position will be filled externally and that to run the department properly a deputy Tax Collector is needed. Mr. Baker asked if the proposed job description was an expansion of duties or a clarification of duties. Mr. Jacobs replied that it was an amplification of the duties since the Charter only contains two sentences on the subject. Attorney Anastasi asked if this would be a tenured position. Mr. Jacobs stated that there would be a five year term with no limits to the number of reappointments. Attorney Anastasi asked if Mr. Jacobs had checked with Labor Relations. Mr. Jacobs replied that he had and there was no problem. Mr. Paoletto asked if there would be a Civil Service test. Mr. Jacobs replied that the Civil Service test can only test pursuant to the Charter's requirements. The Charter requires that Mr. Jacobs present the top three candidates to the Mayor for final selection. Following that, the five year term requirements begin. Mr. Mojica asked if the Committee would be voting only on the job description itself. Mr. Jacobs agreed. There was some discussion about how the job appointment had been handled previous to Mr. Tetreault's appointment. Mr. Walsh wished to know if the job description was added

responsibilities. Mr. Jacobs replied that the job description was just describing them more completely.

- \*\* MR. PAOLETTO MOVED TO APPROVE THE CLASS SPECIFICATIONS (JOB DESCRIPTION) FOR THE TAX COLLECTOR CODE #1612.**
- \*\* MS. VIZZO-PANICCIA SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**61-05 NEW POSITIONS: POLICE DEPARTMENT - 2 ASSISTANT ANIMAL CONTROL OFFICERS**

Mr. Jacobs explained that the creation of the two new positions requires Council approval and that Chief Armeno was not able to be present at the meeting. The reason these were being created is to transfer the two police officers back to the force. The positions do not require the positions to be filled by police officers. Mr. Mojica asked if these new positions would be filled by civilians. Mr. Jacobs replied that they would. He went on to explain that there would be significant savings in terms of salaries and the new positions would be in a different union. He also reviewed the pay scale, which caps out below the salary which a starting officer would receive. Attorney Anastasi pointed out that the Police Department has its own pension plan and this would cut down on overtime for the Police. Following some further discussion about the positions, Mr. Paoletto commented that currently, the person who holds the title is a Police Officer, however once the animals are in the care of the City, their welfare is overseen by the Health Department. He concluded with the fact that he felt this would be a good idea for the City. Mr. Mojica agreed and stated that he did not have a problem with the change. Mr. Walsh stated that he wished to table the matter until the Police Chief was able to attend the meeting. This was agreeable to all.

- \*\* MR. WALSH MOVED TO TABLE 61-05 NEW POSITIONS: POLICE DEPARTMENT - 2 ASSISTANT ANIMAL CONTROL OFFICERS UNTIL POLICE CHIEF ARMENO OR HIS REPRESENTATIVE COULD ATTEND.**
- \*\* MR. PAOLETTO SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**OTHER BUSINESS**

Attorney Anastasi requested that the Committee allow an additional item to be added to the agenda at this time. He stated that he was not able to get a number for the item.

- \*\* MR. PAOLETTO MOVED TO ADD THE MATTER OF VICTOR LOPEZ V. FRANK DELBOUNO TO THE AGENDA.**
- \*\* MS. VIZZO-PANICCIA SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

- \*\* MR. PAOLETTO MOVED TO CONVENE AN EXECUTIVE SESSION TO DISCUSS THE MATTER OF VICTOR LOPEZ V. FRANK DELBOUNO, ET AL. : SETTLEMENT OF A LEGAL ACTION**
- \*\* MS. VIZZO-PANICCIA SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

The Committee went into Executive Session at 7:24 p.m. and reconvened into Public Session at 7:47 p.m.

- \*\* MR. PAOLETTO MOVED TO ADJOURN THE EXECUTIVE SESSION TO DISCUSS THE MATTER OF VICTOR LOPEZ V. FRANK DELBOUNO, ET AL. : SETTLEMENT OF A LEGAL ACTION UNTIL MONDAY, MARCH 6TH AT 6:00 PM, PRIOR TO THE CITY COUNCIL MEETING.**
- \*\* MS. VIZZO-PANICCIA SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

### ADJOURNMENT

- \*\* MR. PAOLETTO MOVED TO ADJOURN THE MEETING.**
- \*\* MS. VIZZO-PANICCIA SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:49 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services

**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS  
MARCH 27, 2006**

**APPROVAL OF MEETING MINUTES OF FEBRUARY 27, 2006**

- \*\* MR. RODGERSON MOVED TO APPROVE THE MINUTES OF 2/27/06.**
- \*\* VIZZO-PANICCA SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

**49-05 CLASS SPECIFICATION (JOB DESCRIPTION) FOR THE FIRE  
MARSHAL CODE #3213**

- \*\* MR. RODGERSON MOVED TO APPROVE THE JOB DESCRIPTION WITH THE AMMENDMENT OF THE WORD BILINGUAL IS DESIRABLE.**
- \*\* MS. VIZZO-PANICCA SECONDED**
- \*\* THE MOTION PASSED WITH 3 IN FAVOR (RODGERSON,VIZZO-PANICCA, A. BAKER, AND ONE AGAINST ( W.BLUNT).**

**61-05 NEW POSITIONS: POLICE DEPARTMENT, 2 ANIMAL CONTROL  
OFFICERS**

- \*\* MR. RODGERSON MOVED TO APPROVE THE NEW POSITIONS OF 2 ANIMAL COTROL OFFICERS**
- \*\* MS. VIZZO-PANICCA – 2<sup>ND</sup> COUNCIL WONT BE COMING OUT UNTIL TRANSITION.**
- \*\* ALL IN FAVOR – NOT PASSES AND CARRIES CONSENT CALENDAR.**

**78-05 RE-APPOINTMENT OF MARIE TEDESCO TO THE ETHICS  
COMMISSION**

- \*\* MR. RODGERSON MOVED TO APPROVE MARIE TEDESCO TO ETHICS COMM.**
- \*\* ALL IN FAVOR, PASSES CONSENT CALENDAR.**

**79-05 RE-APPOINTMENT OF HOWARD T. OWENS JR. TO THE ETHICS  
COMMISSION**

- \*\* MR. RODGERSON MOVED TO APPROVE.**
- \*\* VIZZO-PANICCA SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

**80-05 RE-APPOINTMENT OF HENRY LUGO, JR. TO THE PORT  
AUTHORITY COMM.**

- \*\* MR. RODGERSON MOVED TO APPROVE.**
- \*\* VIZZO-PANICCA SECONDED.**
- \*\* W. BLUNT SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY**

**88-05 SUITE SETTLEMENT FOR VICTOR LOPEZ.**

**MR. RODGERSON MOVED TO APPROVE. ALL IN FAVOR.**

**\*\* VIZZO-PANICCA SECONDED.**

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

**90-05 SUITE SETTLEMENT FOR THOMAS GIECEWICZ.**

**\*\* MR. RODGERSON RECOMMENDED CANNOT DISCUSS AS IT IS NOT FINALIZED.**

**\*\* VIZZO-PANICCA SECONDED.**

**\*\* MOTION IS TABELED.**

**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
APRIL 24, 2006**

**ATTENDANCE:** Rafael Mojica, Chair, (131st); Keith Rodgeron, (133<sup>rd</sup>); Andre Baker, Jr., (139<sup>th</sup>); Robert Walsh, (132<sup>nd</sup>); William Blunt (135<sup>th</sup>)

**STAFF:**

**OTHER:** City Attorney Mark Anastasi; Associate City Attorney Greg Conte

**CALL TO ORDER**

Chairman Mojica called the meeting to order at 6:43 p.m. and announced there was a quorum.C

- \*\* COUNCILMAN RODGERSON MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS AGENDA ITEMS 90-05, AND 103-05.**
- \*\* COUNCILMAN BAKER SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Chairman Mojica, City Attorney Anastasi, and the councilmembers entered into Executive Session at 6:44 P.M.

- \*\* COUNCILMAN BAKER MOVED TO RECONVENE OUT OF EXECUTIVE SESSION TO THE REGULAR MEETING.**
- \*\* COUNCILMAN BLUNT SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Chairman Mojica, City Attorney Anastasi, and the councilmembers reconvened out of Executive Session to the regular meeting at 7:40 p.m.

**90-05 SUIT SETTLEMENT FOR: THOMAS GECEWICZ**

- \*\* COUNCILMAN RODGERSON MOVED TO APPROVE 90-05, SUIT SETTLEMENT FOR THOMAS GECEWICZ, AND REIMBURSEMENT ON THE TERMS DISCUSSED IN EXECUTIVE SESSION.**
- \*\* COUNCILMAN BAKER SECONDED.**
- \*\* MOTION PASSED WITH FOUR (4) VOTES IN FAVOR (MOJICA, RODGERSON, BAKER, WALSH) AND ONE (1) VOTE ABSTAINED (BLUNT).**

**103-05 SUIT SETTLEMENT FOR: RAUL LAFFITTE**

- \*\* COUNCILMAN RODGERSON MOVED TO TABLE 103-05, SUIT SETTLEMENT FOR RAUL LAFFITTE.**
- \*\* COUNCILMAN WALSH SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

City Attorney Anastasi said he didn't think there was a time limit to prevent them from coming back with additional information. He said that there could be an opportunity to talk with Councilman Rodgerson outside of the committee to address the issues.

### **99-05 A RESOLUTION REGARDING ZBA HEARING STANDARDS REQUEST**

Chairman Mojica submitted into the record a letter from the City Attorney's office concerning 99-05, A Resolution Regarding ZBA Hearing Standards Request.

Councilman Rodgerson said that the problem has existed before, and this is a non-binding resolution that they don't have authority over the ZBA. It is simply a request of the Counsel and is not to be construed as anything legally binding.

City Attorney Anastasi suggested that the request be submitted in the form of correspondence, as opposed to a resolution approving a certain correspondence. It could then be crafted on behalf of Counsel so that it's clear that the substance of that correspondence not in any way be construed as dictating. He pointed out that it is acknowledged on page two, in the second to last paragraph, and reads as follows: The City Counsel is not of the jurisdiction to dictate hearing procedures. Therefore, even though the proposed resolution requests rather than mandates action by the ZBA, he recommends that they either deny the resolution entirely or if they feel strongly enough that they want to convey their concerns, he suggests they do it in the form of a carefully crafted letter to the ZBA that Associate City Attorney Greg Conte and himself can work on with Councilman Rodgerson.

Councilman Rodgerson provided some background information regarding the proposed resolution. It requests that there be some structure with regard to the ZBA's public hearings. He said he noticed at a recent hearing that one of his residents was not allowed to speak. He read Attorney Conte's letter, which reads as follows: Proponents and opponents are allowed to comment, but the Chair of the Board is allowed to govern the content of the conversation. Associate City Attorney Conte said that the Chair of the Board gives enormous leeway to speak, provided it is in keeping with the item on the agenda.

Councilman Rodgerson explained that his resident had gone up to speak, but before that could take place, Attorney Rizzio had put in an objection. The resident tried to speak again, but another objection had been filed. There appeared to be some unwillingness by the Board to look at some pictures that the resident had provided. Councilman Rodgerson said he had then gone up to speak, and Attorney Rizzio filed another objection. He mentioned that this was the second time this matter had appeared before the Commission, and Attorney Rizzio was able to address the Appeals Board for a period of approximately 45 seconds. He said he was concerned about the balance between residents being affected by ZBA decisions and attorneys who know the process and could seemingly be taking advantage of the situation because there aren't any guidelines in place to guarantee opposing parties having as much say as proponents.

Associate City Attorney Conte said there are instances where the Board won't take public comment on an item on the agenda. Some discussion followed regarding the ZBA, the Zoning Enforcement Officer, the property owner, permits and appeals, and some past practices.

Chairman Mojica asked to clarify that the Chairman was in error to allow the resident to come to the podium to speak. Associate City Attorney Conte did clarify that. City Attorney Anastasi said that there were two meetings, and the resident was correctly allowed to speak at the first meeting as he had filed an application, but was incorrectly allowed to speak at the second meeting. The Chairman was in error, and Attorney Rizzio was correct.

City Attorney Anastasi said that during public hearings, the public has the right to speak. The situation is different in this case as it is a legislative body.

Associate City Attorney Conte said that appropriate objections an attorney could use have to be relevant to the application. He said that he felt the particular situation that Councilman Rodgeron was referring to was an extremely isolated incident.

- \*\* COUNCILMAN RODGERSON MOVED TO TABLE 99-05, A RESOLUTION REGARDING ZBA HEARING STANDARDS REQUEST.**
- \*\* COUNCILMAN BLUNT SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Councilman Rodgeron said he will be back before the Committee if he continues to see the ZBA being run in a chaotic way, to see what the Counsel would be requesting with regard to that matter.

**APPROVAL OF COMMITTEE MEETING MINUTES: MARCH 27, 2006**

Chairman Mojica and the councilmembers agreed to postpone the approval of the March 27, 2006 to allow further review.

- \*\* COUNCILMAN BAKER MOVED TO TABLE THE APPROVAL OF THE MINUTES OF MARCH 27, 2006 SO THAT THE NECESSARY CORRECTIONS CAN BE MADE BY COUNCILMAN RODGERSON.**
- \*\* COUNCILMAN RODGERSON SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**
  
- \*\* COUNCILMAN RODGERSON MOVED TO ADJOURN.**
- \*\* COUNCILMAN BLUNT SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Carolyn Marr  
Telesco Secretarial Services

**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
MAY 22, 2006**

**ATTENDANCE:** Keith Rodgerson, Chair; Rafael Mojica, Co-Chair; Andres Baker, AmyMarie Vizzo-Paniccia; Robert Walsh (6:35 p.m.)

**OTHERS:** Alan R. Kennedy, Attorney John Mitola, City Attorney's Office; Attorney Melanie Howlett, City Attorney's Office; Mr. Abu Hashem Malick, Bridgeport Islamic Society, Inc.

**CALL TO ORDER**

Chairman Rodgerson called the meeting to order at 6:30 p.m. He announced that the Committee would consider the re-appoint of Mr. Kennedy first, as Mr. Kennedy had another meeting to attend.

**157- 05 - Reappointment of Alan R. Kennedy to the Planning & Zoning Commission**

Mr. Kennedy introduced himself to the members of the Commission and stated that he believes that Bridgeport is in a crucial stage, particularly as it is the largest city in Connecticut. He said that it was important for the City to move ahead. Chairman Rodgerson asked Mr. Kennedy about the fact that the City's zoning regulations would be up for revision in two and a half years. Mr. Kennedy agreed and stated that it was critical for the City to do this and to develop the industrial areas, also.

*Council Member Walsh arrived at the meeting at 6:35 p.m.*

Chairman Rodgerson asked Mr. Kennedy how he would do this, and Mr. Kennedy reported that he had attended a seminar for the Zoning Boards and the Zoning Board of Appeals where the issues about what needs to be done and how other municipalities have handled those issues. This will help Bridgeport move forward. Council Member Mojica remarked that Zoning Board has a difficult task. He observed that there were numerous developments coming in but that the Planning was being done on a case by case basis, which results in a patchwork model. Council Member Mojica also expressed concerns about the key arteries in and out of the City, along with concerns about the building heights currently allowed. Mr. Kennedy agreed that the City seems to be working on a patchwork basis and stated that it was his belief that the City should not be the cause of someone's property value decreasing because of zoning practices. Chairman Rodgerson reminded the Committee that Fairfield had recently denied an application because the building involved would be "ugly". Mr. Kennedy stated that Bridgeport would never be on par with New York City, but that the City does need to be attractive for both residents and visitors. Chairman Rodgerson concluded by acknowledging that he was aware of how hard working Mr. Kennedy was on the Planning and Zoning Commission.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE THE REAPPOINTMENT OF ALAN R. KENNEDY TO THE PLANNING & ZONING COMMISSION.**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

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

Chairman Rodgerson requested that this item be scheduled on the consent calendar.

### **EXECUTIVE SESSION**

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS ITEMS: 103-05 - SUIT SETTLEMENT FOR: RAUL LAFFITTE; 139-05 - SUIT SETTLEMENT OF LITIGATION (FORMER DEPUTY CHIEF KRASICKY; AND 144-05 - SUIT SETTLEMENT FOR: GILBERTO DELVALLE.**

**\*\* COUNCIL MEMBER MOJICA SECONDED.**

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

The Committee members and Attorney Mitola went into Executive Session at 6:40 p.m.

*Council Member Walsh left the meeting at 6:45 p.m.*

*Attorney Howlett entered the meeting at 6:50 p.m.*

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER BACK INTO PUBLIC SESSION.**

**\*\* COUNCIL MEMBER MOJICA SECONDED.**

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

The Committee reconvened into Public Session at 7:30 p.m. Attorney Mitola left the meeting at 7:30 p.m.

### **103-05 - Suit Settlement for: Raul Laffitte**

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE 103-05 - SUIT SETTLEMENT FOR: RAUL LAFFITTE IN THE AMOUNT OF \$33,000.**

**\*\* COUNCIL MEMBER MOJICA SECONDED.**

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

Chairman Rodgerson requested that this item be scheduled on the consent calendar.

### **126-05 - Tax Abatement on Property Located on 503 Courtland Avenue**

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE 126-06 - TAX ABATEMENT ON PROPERTY LOCATED ON 503 COURTLAND AVENUE.**

**\*\* COUNCIL MEMBER MOJICA SECONDED.**

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

Chairman Rodgerson requested that this item be scheduled on the consent calendar.

**139-05 - Suit Settlement of Litigation (former Deputy Chief Krasicky)**

**\*\* COUNCIL MEMBER BAKER MOVED TO APPROVE 139-05 - SUIT SETTLEMENT OF LITIGATION FORMER POLICE DEPARTMENT DEPUTY CHIEF KRASICKY FOR THE AMOUNT OF \$90,000 CONDITIONAL UPON THE EXECUTION OF A FULL RELEASE PREPARED BY THE CITY ATTORNEY'S OFFICE.**

**\*\* COUNCIL MEMBER MOJICA SECONDED.**

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

Chairman Rodgerson requested that this item be scheduled on the consent calendar.

**144-05 - Suit Settlement for: Gilberto DelValle**

Chairman Rodgerson explained that this item was for informational purposes only as the settlement amount was less than the amount requiring a vote. Council Member Mojica suggested that the Committee still conduct a formal vote. This was agreeable to all.

**\*\* COUNCIL MEMBER MOJICA MOVED TO APPROVE 144-05 - SUIT SETTLEMENT FOR: GILBERTO DELVALLE.**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

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

Chairman Rodgerson requested that this item be scheduled on the consent calendar.

**146-05 - Property Tax Issues to include abatement of erroneous taxes charged to 1300 Fairfield Avenue House of Worship**

Several member of the Bridgeport Islamic Society, which is located at 1300 Fairfield Avenue, were present at the meeting. Attorney Howlett reviewed the various documents and letters including one from the Federal Government dated 1991 that stated the Society was determined to be a house of worship. It was duly noted that houses of worship are tax exempt. Council Member Mojica read dated May 5, 1006 regarding this matter into the record. He stated that there had not been a reply from the Tax Assessor's office on this matter. Mr. Malick briefly addressed the Committee and explained that the Society did not know how the change from tax exempt status had happened.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE 146-05 PROPERTY TAX ISSUES TO INCLUDE ABATEMENT OF ERRONEOUS TAXES CHARGED TO 1300 FAIRFIELD AVENUE HOUSE OF WORSHIP.  
\*\* COUNCIL MEMBER MOJICA SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be scheduled on the consent calendar.

**161-05 - City Council to join Sister Cities International endeavor to take full and pro-active advantage of said membership**

Chairman Rodgerson reviewed the Sister Cities International program and explained that it promotes cultural exchanges. There was a question raised regarding whether the City already participated in such a program. Attorney Howlett suggested that the Committee members check with Council Member McCarthy who had been involved in a trip to a possible Sister City program. Chairman Rodgerson said that he would like to see the Council take initiative and be involved in the program rather than assigning it to a Department for follow up. He then distributed some packets of information for the Committee members to view and stated that membership costs \$400.00.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE 161-05 - CITY COUNCIL TO JOIN SISTER CITIES INTERNATIONAL ENDEAVOR TO TAKE FULL AND PRO-ACTIVE ADVANTAGE OF SAID MEMBERSHIP.  
\*\* COUNCIL MEMBER MOJICA SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

Chairman Rodgerson requested that this item be scheduled on the consent calendar.

**Approval of committee meeting minutes: April 24, 2006**

Chairman Rodgerson stated that he had some questions about the minutes from April 24, 2006 and that until they were resolved, he felt the minutes should be tabled. This was agreeable to all.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE APPROVAL OF COMMITTEE MEETING MINUTES OF APRIL 24, 2006 PENDING CLARIFICATION OF INFORMATION.  
\*\* COUNCIL MEMBER MOJICA SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**ADJOURNMENT**

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ADJOURN.  
\*\* COUNCIL MEMBER MOJICA SECONDED.**

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

The meeting adjourned at 8:40 p.m.

Respectfully submitted

Sharon L. Soltes  
Telesco Secretarial Services

**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
REGULAR MEETING  
JUNE 26, 2006**

**ATTENDANCE:** Rafael Mojica, Co-Chair; Keith Rodgeron, Co-Chair; AmyMarie Vizzo-Paniccia; Robert Walsh; Andre Baker; Warren Blunt (6:45 p.m.)

**OTHERS:** Attorney John Barton; Earl King; Edna Garcia; James Brideau; Bajed Labrador

**CALL TO ORDER**

Chairman Mojica called the meeting to order at 6:32 p.m.

**Approval of committee meeting minutes: May 22, 2006**

After a brief discussion, it was decided to table the minutes since there wasn't a copy available at the meeting.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE THE MINUTES FROM MAY 22, 2006**

**\*\* COUNCIL MEMBER RODGERSON SECONDED.**

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

**169-05 Reappointment of Earl George King to the Parks Commission**

Mr. King introduced himself to the Committee. Chairman Mojica passed around the information packet on Mr. King's reappointment. Council Member Vizzo-Paniccia asked Mr. King if he was aware that Central High was not able to use the stadium for their graduation ceremonies because of the fee involved. The commencement ceremonies were taking place at Harbor Yard instead. Mr. King replied that this was the first he had heard of it, but would look into it and get back to Council Member Vizzo-Paniccia with more information. There were no further questions.

**\*\* COUNCIL MEMBER BAKER MOVED TO APPROVE 169-05 REAPPOINTMENT OF EARL GEORGE KING TO THE PARKS COMMISSION.**

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

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

Chairman Mojica requested that this item be placed on the consent calendar.

### **170-05 Reappointment of Edna Iris Garcia to the Bridgeport Redevelopment Agency**

Ms. Garcia introduced herself to the Committee. Chairman Mojica passed around the information packet on Ms. Garcia's reappointment Council Member Walsh commented that there were no attendance records included in the information packet. Ms. Garcia replied that she had not been able to attend many meetings during her first appointment because she had been granted a scholarship to Fairfield University. She had informed the Agency of this. She has completed her course of study and is now able to participate with the Agency.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE 170-05 REAPPOINTMENT OF EDNA IRIS GARCIA TO THE BRIDGEPORT REDEVELOPMENT AGENCY.**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

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

Chairman Mojica requested that this item be placed on the consent calendar.

### **187-05 Appointment of Andrew Fardy to the Parks Commission**

Chairman Mojica stated that this agenda item did not need to be discussed because Mr. Fardy had submitted a letter to the City Clerk's office earlier in the day withdrawing his name for the position. This was noted in the record, a copy of the letter included with the City Clerk's documents and Chairman Mojica also noted that this item was not to be included on the consent calendar.

*Council Member Blunt arrived at 6:45 p.m.*

### **188-05 Appointment of James Brideau to the Parks Commission**

Mr. Brideau introduced himself to the Committee. Chairman Mojica passed around the information packets on Mr. Brideau's appointment to the Commission. Council Member Vizzo-Paniccia asked Mr. Brideau why he was interested in the Parks Commission. Mr. Brideau replied that he was a retired firefighter and familiar with the City. He also is a golfer and has an interest in maintaining and improving the parks in the City. Chairman Mojica asked him if he would have difficulty attending the meetings. Mr. Brideau replied that was the great thing about being retired.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE 188-05 APPOINTMENT OF JAMES BRIDEAU TO THE PARKS COMMISSION.**

**\*\* COUNCIL MEMBER RODGERSON SECONDED.**

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

Chairman Mojica requested that this item be placed on the consent calendar.

**189-05 Appointment of Banjed Labrador to the Parks Commission**

Mr. Labrador introduced himself to the Committee. Chairman Mojica passed around the information packets on Mr. Labrador's appointment to the Commission.

Chairman Mojica commented that many of the members of the Committee knew Mr. Labrador and that he volunteers for many city functions. He stated that Mr. Labrador works with the Little League soft ball teams and knows what goes on in the parks. Chairman Mojica stated that in his opinion, it would be difficult to find a better person to appoint to the Commission.

Council Member Vizzo-Paniccia asked Mr. Labrador why he was interested in joining the Parks Commission. Mr. Labrador replied that he had been involved in football, baseball, lacrosse and was still involved in a program called RBI (Runs Batted In) Baseball. He also stated that he was a volunteer for AMR and participated in their toy drive.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE 189-05 APPOINTMENT OF BANJED LABRADOR TO THE PARKS COMMISSION.  
\*\* COUNCIL MEMBER RODGERSON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

Chairman Mojica requested that this item be placed on the consent calendar. It was noted that Mr. Labrador's last name was spelled incorrectly on the agenda and in the City Clerk's copy of the motions.

Chairman Mojica informed the two new appointees, Mr. Labrador and Mr. Brideau that any questions that they have, Mr. King was an excellent resource. Mr. King stated that he was happy to have Mr. Labrador and Mr. Brideau joining the Commission.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER EXECUTIVE SESSION TO DISCUSS TWO LEGAL MATTERS ON THE AGENDA.  
\*\* COUNCIL MEMBER RODGERSON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The Commissioners went into Executive Session at 6:55 p.m. with Attorney Barton.

*Council Member Blunt left the meeting at 7:07 p.m.*

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO END THE EXECUTIVE SESSION.**

**\*\* COUNCIL MEMBER RODGERSON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* COUNCIL MEMBER BAKER MOVED TO ENTER PUBLIC  
\*\* COUNCIL MEMBER VIZZO-PANICCIA SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The Committee moved back into public session at 7:25 p.m.

**179-05 Settlement of Litigation for: Dolores Kish Vs. City of Bridgeport, ET AL**

It was stated by Council Member Rodgeron that there was no relationship to J. Kish.

**\*\* COUNCIL MEMBER RODGERSON MOVED TO APPROVE A  
SETTLEMENT OF \$94,000 REGARDING THE MATTER OF DOLORES KISH  
VS. CITY OF BRIDGEPORT, ET AL.  
\*\* COUNCIL MEMBER BAKER SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**191-05 Suit Settlement for: Rupert Rowe**

**\*\* COUNCIL MEMBER. BAKER MOVED TO APPROVE A SETTLEMENT OF  
\$55,000 IN THE MATTER OF SUIT SETTLEMENT FOR: RUPERT ROWE.  
\*\* COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

Council Member Rodgeron stated that he felt that the Committee should look into the case a bit more. He suggested that the Committee table the matter at this time, otherwise he would be forced to vote no if it came to the Council.

**\*\* THE MOTION FAILED WITH TWO IN FAVOR ( BAKER & VIZZO-  
PANICCIA) AND THREE AGAINST ( RODGERSON, WALSH AND MOJICA).**

Attorney Barton suggested that the Committee consider tabling the matter in Committee in order to request more information rather than advancing the matter to the full Council. After a brief discussion, the general consensus was that this would be agreeable to all.

**\*\* COUNCIL MEMBER. BAKER MOVED TO WITHDRAW HIS MOTION OF  
APPROVAL ON THE MATTER OF A SETTLEMENT OF \$55,000 IN THE  
MATTER OF SUIT SETTLEMENT FOR: RUPERT ROWE.  
\*\* COUNCIL MEMBER VIZZO-PANICCIA SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* COUNCIL MEMBER WALSH MOVED TO RECONSIDER THE MATTER OF A SETTLEMENT OF \$55,000 IN THE MATTER OF SUIT SETTLEMENT FOR: RUPERT ROWE.**

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

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

**\*\* COUNCIL MEMBER WALSH MOVED TO TABLE THE MATTER OF A SETTLEMENT OF \$55,000 IN THE MATTER OF SUIT SETTLEMENT FOR: RUPERT ROWE PENDING FURTHER INFORMATION.**

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

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

#### **190-05 Refund of Excess Payments**

Chairman Mojica stated that there was no one present from the Tax Department to answer any questions, so he would entertain a motion to table the issue.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE THE MATTER OF 190-05 REFUND OF EXCESS PAYMENTS.**

**\*\* COUNCIL MEMBER RODGERSON SECONDED.**

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

#### **ADJOURNMENT**

**\*\* COUNCIL MEMBER BAKER MOVED TO ADJOURN**

**\*\* COUNCIL MEMBER RODGERSON SECONDED.**

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

The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services

**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS  
COMMITTEE of the CITY COUNCIL  
MONDAY - JULY 24, 2006**

**ATTENDANCE:** Council members: Rodgerson, Mojica, Baker, Vizzo-Paniccia, Walsh

**ABSENT:** Council members: Blunt, Paoletto

**OTHERS:** Council member Mulligan

**I. CALL TO ORDER**

The Chair called the meeting to order at 6:30 p.m.

**Approval of Committee Meeting Minutes – June 26, 2006**

**\*\* COUNCIL MEMBER MOJICA MOVED TO ACCEPT THE MINUTES  
\*\* COUNCIL MEMBER VIZZO-PANICCIA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**146-05 Property tax issues to include abatement of erroneous taxes charged to 1300  
Fairfield Avenue House of Worship**

Council member Rodgerson asked if anyone was present who was familiar with this property.

Mr. Shamshad, President/Bridgeport Islamic Society approached. He stated that he had a discussion pertaining to an error that needed to be corrected. He said he was assured that in the future, they wouldn't receive a tax bill for the property, due to the fact that they are a religious organization. He thought the tax bill being generated resulted in a computer problem, because they also received next year's bill. So he asked that the matter be reviewed, again, noting that he thought there was a computer problem.

Council member Rodgerson asked if there had been any conversations with the Acting Tax Collector. Mr. Bill O'Brien, the Tax Assessor stated that Mr. Shamshad was very cooperative, noting this was a complex issue. He explained that when they checked the 2003-grand list and reviewed the exempt status applications, this property came up that was filed under 1281-7 Statute that is a charitable organization status. But a religious organization generally files under a different statute. So he sent a letter during November 2004 asking for clarification on the correct filing status, but he was told they never received the letter. He further noted that an exempt status carries a characterization of being a substantive matter, but there was no computer error, the status was purposefully revoked. And although he tried to get more details, he operated under the

intention that they were a charitable organization, but he subsequently found out it was a religious organization. From there, the Tax Collector went on the basis that this was a taxable property and he determined that it needed to be approved as a religious organization, but the matter can't be retroactive.

Mr. Shamshad agreed that the matter was discussed. And since then they have filed correctly, and it has been determined that they are a religious organization. But he felt that revoking their status was unfair, although he understood the confusion. He went on to say that he thought the city was responsible for revoking the status without all the pertinent information. He relayed that he was working with Mr. O'Brien's office to provide all the information to straighten this matter out.

Mr. O'Brien stated that regardless of the differences perceived, there is an appeal process to follow.

Council member Rodgerson asked if this item was initiated by Mr. Shamshad's office. Mr. Shamshad said there were two options, one was to file taxes or talk to the city council about the matter. So he approached the Mayor about it. He repeated that they have been a religious organization since 1991. Council Rodgerson said they weren't disputing that, but they needed to determine how the matter came before the committee.

Council member Mojica stated that the item previously passed through committee, but when it came before the city council, it was tabled and sent back to the committee. However, it was found that the site did fall under the 1281-statute and the Mayor agreed.

Mr. O'Brien reiterated that the matter didn't fall strictly under the 1281-statute, noting there are subsections that apply. He spoke about the issue of the city council revoking the action of the Tax Assessor, but he said the city council didn't have the authority to do that, that action has to come from the Attorney General.

Council member Mojica asked if they voted against the item, would the organization have the option of going through the appeal process. Mr. O'Brien replied that the time period for the appeal expired. But for year 2005 and going forward, the matter has been corrected and he thought that only year 2004 was in question.

Mr. Shamshad said that since 1999, the services of their organization haven't changed and their status was intact. Mr. O'Brien disputed that point, and he stressed that the tax bill was the only matter before the committee, not the exempt status.

Council member Rodgerson felt that Ann should be present at a meeting to update them on the matter. He said he wasn't sure what the committee's authority was and needed staff's input.

**\*\* COUNCIL MEMBER BAKER MOVED TO TABLE**

Council member Walsh asked when the item came before the council, he questioned who stated that the item had to come back to committee. Council member Rodgeron said that Council member Mojica was researching that information.

Council member Walsh asked for clarification of whether the city council had the authority to exempt taxes. Mr. O'Brien replied no.

Council member Walsh asked if the city council could change any tax the Tax Collector comes up with. Mr. O'Brien said that was a question for the Tax Collector.

Mr. O'Brien recapped an explanation of the details for this item, *previously stated*.

Council member Mojica returned to the meeting after trying to locate some additional information. He said he didn't find any paperwork pertaining to the matter. He did find the minutes, noting that they were a little vague. He felt they needed the Tax Collector's input to obtain all the information needed to resolve the matter. Again, he thought the matter should be tabled.

Council member Mulligan thought the Tax Collector would want the City Attorney's advice on this matter also.

**\*\* COUNCIL MEMBER BAKER MOVED TO TABLE FOR THE PURPOSE OF OBTAINING  
THE TAX COLLECTOR'S AND CITY ATTORNEY'S INPUT  
\*\* COUNCIL MEMBER MOJICA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

#### 190-05 Refund of Excess Payments

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE  
\*\* COUNCIL MEMBER MOJICA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

#### 191-05 Suit Settlement for: Rupert Rowe

*Attorney John Barton was the attorney present representing the case.*

**\*\* COUNCIL MEMBER RODGERSON MOVED INTO EXECUTIVE SESSION AT 7:00 P.M.  
\*\* COUNCIL MEMBER MOJICA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

*The committee moved into Executive Session at 7:00 p.m.*

*The executive session ended at 7:15 p.m.*

**\*\* COUNCIL MEMBER MOJICA MOVED TO APPROVE FOR AN AMOUNT OF \$55K  
\*\* COUNCIL MEMBER VIZZO-PANICCIA SECONDED  
\*\* MOTION PASSED WITH THREE VOTES IN FAVOR AND ONE VOTE IN OPPOSITION  
(COUNCIL MEMBER WALSH)**

Council member Rodgerson questioned this not being the first sanitation truck lawsuit. He indicated that proper steps needed to be taken to mitigate loss in the future. He said he would inquire about starting the process.

Council member Baker stated there was also the matter of making a building safe to insure a person's safety.

Council member Mojica addressed Attorney Barton in reference to settling a case. He said that in his opinion, he didn't think that sanitation trucks should be moving backwards, emphasizing that if someone was hit, then there is a liability issue. Attorney Barton said it was part of management's responsibility to implement policies that are safe.

Council member Walsh stated that as a rule, when a settlement comes before them, it might be good to have the appropriate department head present to shed more light on the matter. He also felt there shouldn't be any disciplinary action until a matter is resolved.

Council member Rodgerson repeated that he would draft a letter for the committee.

### **ADJOURNED**

**\*\* COMMISSIONER MOJICA MADE A MOTION TO ADJOURN  
\*\* COMMISSIONER VIZZO-PANICCIA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Diane Graham  
Telesco Secretarial Services  
City of Bridgeport  
Miscellaneous Matters Committee  
of the City Council  
July 24, 2006  
Page 4 of 5



**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
AUGUST 28, 2006**

**ATTENDANCE:** Rafael Mojica, Co-chair; Keith Rodgeron, Co-chair; AmyMarie Vizzo-Paniccia, Warren Blunt, Andres Baker, Robert Walsh (7:00 p.m.)

**OTHERS:** State Representative Clements, Dr. Ralph Ford.. Attorney Anastasi,  
City Attorney (6:55 p.m.)

**CALL TO ORDER**

Chairman Mojica called the meeting to order at 6:30 p.m.

**APPROVAL OF MINUTES FROM JULY 24, 2006 MEETING**

- \*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ACCEPT THE MINUTES OF THE JULY 24, 2006 MEETING AS SUBMITTED.**
- \*\* COUNCIL MEMBER RODGERSON SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**AGENDA**

**226-05 Worker's Compensation Settlement for: Ramon Alers**

- \*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER EXECUTIVE SESSION TO DISCUSS THE WORKER'S COMPENSATION SETTLEMENT FOR: RAMON ALERS.**
- \*\* COUNCIL MEMBER RODGERSON SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

The Committee entered executive session at 6:35 p.m. regarding the matter of Worker's Compensation Settlement for: Ramon Alers.

- \*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO END THE EXECUTIVE SESSION REGARDING THE WORKER'S COMPENSATION SETTLEMENT FOR: RAMON ALERS.**
- \*\* COUNCIL MEMBER RODGERSON SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO RETURN TO PUBLIC SESSION.**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

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

The Committee ended the executive session at 6:50 p.m. and returned to public session.

**\*\* COUNCIL MEMBER RODGERSON MOVED TO APPROVE A SETTLEMENT OF WORKER'S COMPENSATION SETTLEMENT FOR: RAMON ALERS FOR THE SUM OF \$70,500.**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

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

**146-05 Property tax issues to include abatement of erroneous taxes charged to 1300 Fairfield Avenue House of Worship.**

Chairman Mojica stated that the Tax Collector was currently on vacation.

**\*\* COUNCIL MEMBER RODGERSON MOVED TO TABLE THE MATTER OF 146-05 PROPERTY TAX ISSUES TO INCLUDE ABATEMENT OF ERRONEOUS TAXES CHARGED TO 1300 FAIRFIELD AVENUE HOUSE OF WORSHIP.**

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

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

**190-05 Refund of Excess Payments.**

Chairman Mojica stated that the Tax Collector was currently on vacation.

**\*\* COUNCIL MEMBER RODGERSON MOVED TO TABLE THE MATTER OF 190-05 REFUND OF EXCESS PAYMENTS.**

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

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

**257-05 - Civil Service Rule XV - Resident Preference**

Co-chair Mojica asked if there was any one present from the Civil Service or the Labor Relations Department. No one was.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE THE MATTER OF 257-05 - CIVIL SERVICE RULE XV - RESIDENT PREFERENCE.**

Council Member Blunt and Baker, the co-authors of the resolution were present, as was State Representative Clements. The goal of the resolution was to encourage employees

to live in Bridgeport by adding eight preference points to the scores of those who reside in the City prior to the posting of the position exam.

*Attorney Anastasi arrived at 6:55 p.m.*

Attorney Anastasi stated that any change on the exam is a union negotiable item. He then reviewed the history of this resolution, stating that the Council had originally been involved, but it was later determined that it was not appropriate for the Council to be involved in the process. He stated that the unions could object to any changes made to the exam. He also stated that the Civil Service Personnel Director was not present.

*Council Member Walsh arrived at 7:00 p.m.*

State Representative Clements then addressed the Committee and stated that the history of the resolution was as Attorney Anastasi recalled it. He then thanked Council Members Blunt and Baker for authoring this resolution. State Representative Clements said that he felt this would be an incentive and a reward for Bridgeport residents and added that he felt the language could be tweaked by the Council.

Council Member Walsh recounted how his father, a member of the Fire Department, would ride around town and notice violations. He said that he felt that residency is important, not as a reward for working in Bridgeport, but as eyes and ears for the City. This, Council Member Walsh felt, made Public Safety sense. He also said that he felt it would encourage on-going residency and urged the members of the Committee to support the measure.

Attorney Anastasi said that Connecticut State Statute 7474-b or section d prohibited a municipal employer from establishing criteria for a promotional exam and then changing it. He then suggested that the Committee table it until the Labor Relations Director could attend the meeting. Council Member Rodgeron asked what would happen if the Committee members approved the measure. Attorney Anastasi stated that the unions would issue a Prohibitive Practice Complaint and that the courts would side with the unions against the City. He then reviewed the ramifications of such a decision for Council Member Rodgeron.

Chairman Mojica recognized Dr. Ford. Dr. Ford commented that with all due respect, he felt that if due diligence was done, the results might be that this resolution could be enacted because it was not changing criteria, it was a change in the selection process. He felt that this would be good for the City.

Chairman Mojica commented that it was clear that more information was needed on the subject. Attorney Anastasi said that he would email the Committee members with the CT Statute. Council Member Walsh also asked for case law on the issue. Attorney Anastasi replied that he would look into it.

Chairman Mojica concluded that the matter should be tabled until more information could be provided and until representatives of the Civil Service and Labor Relation could be present. Council Member Vizzo-Paniccia reminded everyone that her motion to table was still on the floor.

**\*\* COUNCIL MEMBER RODGERSON SECONDED.**

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

**ADJOURNMENT**

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ADJOURN.**

**\*\* COUNCIL MEMBER RODGERSON SECONDED.**

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

The meeting adjourned at 7:17 p.m.

Respectfully submitted

Sharon L. Soltes  
Telesco Secretarial Services

CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
*of the CITY COUNCIL*  
MONDAY - SEPTEMBER 25, 2006

**ATTENDANCE:** Council members: Rodgerson, Vizzo-Paniccia , Paoletto, Walsh, Baker

**ABSENT:** Council members: Mojica, Blunt

**OTHER(s):** A. Kelly-Lenz, Acting Tax Collector; R. Jacobs, Personnel Director;  
E. Winterbottom, Director/Labor Relations; D. Cote, Director/Construction  
Management Services  
City Attorney Mark Anastasi

**I. CALL TO ORDER**

Council member Rodgerson called the meeting to order at 6:40 p.m.

**Approval of Committee Minutes:** August 28, 2006

\*\* COUNCIL MEMBER PAOLETTO MOVED TO ACCEPT THE MINUTES  
\*\* COUNCIL MEMBER VIZZO-PANICCIA SECONDED  
\*\* MOTION PASSED UNANIMOUSLY

**146-05 Property tax issues to include abatement of erroneous taxes charged to 1300 Fairfield Avenue House of Worship**

Council member Rodgerson asked for clarification, which council person submitted the item. The respondent present for this item approached. He explained that the item originated in the Mayor's office to be sent to the city council. It was found that it was an erroneous bill and needed to be corrected. But after some time, it was determined by the Tax Assessor's office that they needed to discuss the matter again.

Ms. Lenz stated that she was aware the matter went back to the Tax Assessor's office.

Council member Rodgerson said that according to the Tax Assessor, the item should be handled under through the Tax Collector's office.

\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE FOR THE PURPOSE OF OBTAINING ADDITIONAL INFORMATION FROM THE TAX ASSESSOR. AND THAT THE TAX ASSESSOR and TAX COLLECTOR SHOULD BE PRESENT AT THE NEXT SCHEDULED MEETING TO ADDRESS THIS ITEM

\*\* COUNCIL MEMBER PAOLETTO SECONDED

Council member Walsh asked what the issue was. Council member Rodgerson said it was a matter of tax exemption, but there was some confusion as to whether the matter should be handled through the Tax Assessor or Tax Collector's office.

The respondent further explained that the house of worship was established in 1981 as a tax exempt facility. But since then, they have been in contact with the state and the city who acknowledged that mistakes do happen. However, the bill was sent to 1300 Fairfield Avenue, so the Tax Assessor was contacted and they were told that they needed to submit paper work. They relayed to the Tax Assessor that they were a religious non-profit establishment, but they were told they needed approval from the Mayor's office to send the matter on to the city council. Subsequently, the Mayor determined they were a non-profit and the matter went before the city council, who then agreed there was an error in the bill and needed correcting. They then received a document stating that they needed to revisit the matter again, because the Tax Collector was the only person that had the authority to make the determination. At the next meeting held, there wasn't a quorum and the Tax Collector wasn't present, so that's why they were here tonight to try to resolve the issue.

Council member Rodgerson stated that the Tax Assessor took the standpoint that the city's determination was correct. But he thought it would be appropriate to get all the information from the Tax Assessor and Tax Collector due to the unusual nature of the matter.

Council member Paoletto added that he was familiar with issue. He expressed that he was disappointed that the Tax Assessor wasn't present tonight. He acknowledged that although the Tax Collector was present, it was disheartening that the Tax Assessor wasn't especially since he had an issue with the item.

Council member Rodgerson pointed out that the Tax Assessor wasn't requested to attend tonight, noting he would definitely be required to attend the next meeting. It was found that the agenda did reflect that the Tax Assessor was notified to attend tonight.

Council member Walsh said he never recalled an item before the city council for a Roman Catholic Church issue. He said he would vote against the motion to table the item and would vote to approve it. He stressed that if there were legitimate concerns to be heard as to why it was not a house of worship, then they should be heard.

Council member Rodgerson asked if the committee had the authority to change the determination by the Tax Assessor. City Attorney Anastasi said they could only do that if it was recommended by the Tax Assessor or Tax Collector that there was a clerical error. But the committee can't make the change because they don't have the authority to assess. Council member Vizzo-Paniccia concurred that was the ruling at the last meeting.

**\*\* MOTION PASSED WITH THREE VOTES IN FAVOR AND ONE VOTE IN OPPOSITION (COUNCIL MEMBER WALSH)**

**\*Consent calendar**

**\*It was noted that the chairman of the committee should relay to the Tax Assessor, the importance of attending the next committee meeting to address this item.**

Council member Rodgerson said that the respondent wasn't required to attend the next meeting since all the information by him had been presented. However, he noted that he was welcome to attend if he wished.



Council member Rodgerson requested that they get a methodology outlining when the Tax Assessor makes an adjustment. Council member Vizzo-Paniccia mentioned that that information was previously submitted from the Tax Collector. Council member Rodgerson asked Ms. Lenz to note the request for the future.

\*\* COUNCIL MEMBER PAOLETTO SECONDED  
\*\* MOTION PASSED UNANIMOUSLY

#### 257-05 Civil Service Rule XV – Resident Preference

Council member Rodgerson stated that Council member Blunt requested this item be tabled. It was noted that he and Council member Baker brought the item forward.

#### \*\* COUNCIL MEMBER BAKER MOVED TO TABLE

City Attorney Anastasi suggested they hear the technical information from the labor director that was present.

Mr. Winterbottom submitted some information stating they had four union contracts that addressed residency. And that had a provision that outlined the following: ***“Any employee residing outside Bridgeport should not be discriminated against regarding employment and other conditions of employment because they are not a resident”***. He submitted and referred to copies of other union contracts as they related to this item (*copies submitted to city clerk*). In addition, he said there were two applicable provisions of the state statute under Sec. 7460-B General Statute *as read*. Attorney Anastasi noted this statute was adopted during the 1980’s when they intended to enforce residency for firefighters. Mr. Winterbottom also referred to Sec. 7474-G regarding the *conduct of grading civil service examinations*.

Council member Baker asked if the matter was between the city and unions. Mr. Winterbottom explained that the time for new proposals was closed.

Attorney Anastasi said the language suggests if they are precluded from making it a condition of employment, then it would mean they are entitled to all the benefits entailed.

Council member Baker asked if they passed an ordinance, could they go back and negotiate with the union. Attorney Anastasi said they didn’t have the authority to pass any requirement and they couldn’t do it before anything was negotiated. But they could request that labor relations put it on the table with a bargaining unit. So he said the committee could either defeat the motion or refer the matter to labor relations to address, who could then let the city council know about the outcome.

Council member Walsh disputed the statement that residency was required as a condition of employment for the fire department. He further expressed his feelings about this topic. Attorney Anastasi disagreed and stated that they couldn’t legislate based on a personal feeling. He explained that the problem was that the matter pertained to when the state got involved and required residency for the fire and police departments, again, he referred to Sec. 7460-B.

Council member Walsh pointed out that the document read they were **not** requiring a residency requirement. He further read from the document labeled 426. Attorney Anastasi said that according to law, it included enjoying all the benefits and powers included in that office, but carrying out this preference would result in creating two classes of employees, although that may be discriminating. Council member Rodgerson repeated a motion to table was requested.

Council member Curran asked when do points of residency get applied, by exam, promotion etc. Mr. Jacobs replied that residency points applied only to entry level positions and all phases of examinations; then 100% goes toward the total bonus points.

Council member Paoletto stated that only one co-maker of the item was present tonight, and that the other co-maker requested the item to be tabled.

**\*\* COUNCIL MEMBER PAOLETTO SECONDED**

Council member Baker stated that he read that if they were trying to better the city and help it grow, and they have residents that qualify for employment, then he felt they needed to offer an incentive to those persons. He thought that someone trying to knock down the issue insulted the committee's intelligence.

Attorney Anastasi commented it was a matter of legislatively changing the law as it was done in the past.

Mr. Winterbottom stated that it wasn't his intention to knock down the issue. He reminded the committee that it was them that make the policies.

**\*\* COUNCIL MEMBER BAKER MOVED TO TABLE**  
**\*\* COUNCIL MEMBER PAOLETTO SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

*Council member Baker left the meeting at 7:25 p.m.*

## **261-05 Appointment of Bruce N. Gallo (D) to the Redevelopment Agency**

It was stated that the respondent wasn't present.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE**  
**\*\* COUNCIL MEMBER PAOLETTO SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

**270-05 Fairchild – Wheeler Golf Course Conservation Easement to the Town of Fairfield**

Mr. Cote explained this item involved a conservation easement required by the Town of Fairfield, as a condition of approval, for wetlands approval to construct an irrigation system at Wheeler Golf Course. He said they had to go through a lot to get the permit, but they are accomplishing the work. However, they need to file an easement in Fairfield for the wetlands area. He went on to say the matter involved mowing and cutting, but they will maintain a 15 foot high growth on either side of the edge of the stream to control pesticides from flowing into the watercourse.

Council member Paoletto asked if this was just another way for Fairfield to prolong the matter. Mr. Cote said they were granted a permit and the work is almost done, but this is just a condition of approval. He said he didn't think they were necessarily trying to prolong things; although extraneous conditions were attached.

Council member Vizzo-Paniccia asked if the matter went through the city council process. Mr. Cote said no, the matter went through the Parks Board. He said they were here to give the Mayor the authority to enter into an agreement.

Mr. Cote added that the city posted a bond with Fairfield, so if the work is not followed through with, then they could draw on the bond if necessary.

Council member Paoletto asked if the matter involved articles written in the newspapers pertaining to the waterways and habitat. Mr. Cote said he wasn't sure, noting that there were many commission hearings held in Fairfield and the matter was mandated by those hearings.

Council member Paoletto agreed with Council member Vizzo-Paniccia in that although the Parks Board may have done their due diligence, they still didn't know much about the matter.

Council member Rodgerson asked the amount of the bond. Mr. Cote said he wasn't sure, but he could find out.

Council member Mulligan asked the basis for the fee of \$128k. Mr. Cote said it was calculated upon the wetlands area that would be affected within the property.

Council member Mulligan asked if the fee was absolute or if there were exceptions. Mr. Cote said Attorney Fallon represented the matter and he indicated that he would submit a fee reduction request, but he didn't have high hopes to do that. Mr. Cote further commented that Fairfield Inland Wetlands was a challenging agency.

Council member Mulligan asked if this matter was similar to the requirement for the Smith Richardson Golf Course. Mr. Cote said he thought so, but he didn't have any details on that.

Council member Mulligan asked about the health regulations and the possibility of a potential infestation and if the golfers would be protected. Mr. Cote said approval was in perpetuity. Attorney Anastasi added that they needed to assure that the easement ran with the irrigation system.

Council member Vizzo-Paniccia questioned the safety issue. She stressed that they needed further research done, pointing out that this respondent hasn't been good neighbors in the past. Attorney Anastasi suggested the committee invite Attorney Fallon to a meeting to address the issue, noting he would like his question of perpetuity answered.

Council member Mulligan asked if there were examples where Fairfield has hooked into Bridgeport's resources. Attorney Anastasia said there were a number of Fairfield residents who are tied into the city sewer system.

Council member Mulligan stressed that the way the matter was approached, has really been out of line.

Council member Paoletto asked if this was a time issue. Mr. Cote said yes, there was the matter of the conditions of the permit on an annual basis. He noted that construction was almost complete, and the permit is for two years, but if the conditions carried into next year, there could be a delay. Attorney Anastasi asked if they needed it to be done by January 1, 2007. Mr. Cote said as long as approval is on file by then, it should be okay to table the matter for another month.

Council member Walsh asked if the cost of capital was by Fairfield or Bridgeport. Mr. Cote said there was a capital plan line item borne by the City of Bridgeport.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE**

-There was no second to the motion-  
Motion failed.

Council member Mulligan requested a determination as to whether regulations regarding infestations also applied. Attorney Anastasi agreed that question should be asked as well as others mentioned during the discussion.

Council member Paoletto said he realized they needed additional information, but regardless of whether or not the item was tabled and heard next month; he stated that the item would be pulled off the consent calendar for clarification.

**\*\* COUNCIL MEMBER PAOLETTO MOVED TO TABLE FOR THE PURPOSE OF OBTAINING ADDITIONAL INFORMATION**

-There was no second to the motion.  
Motion failed.

**\*\* COUNCIL MEMBER PAOLETTO MOVED TO TABLE APPROVE**

-There was no second to the motion.  
Motion failed.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO DENY**

-There was no second to the motion.  
Motion failed.

**\*\* COUNCIL MEMBER WALSH MOVED TO TABLE**

City of Bridgeport  
Miscellaneous Matters  
Committee of the City Council  
September 25, 2006  
Page 7 of 10

**\*\* COUNCIL MEMBER PAOLETTO SECONDED**

**\*\* MOTION PASSED UNANIMOUSLY**

The committee requested the following information be submitted:

- o Health and safety measures
- o Fairness as it relates to other golf courses doing the same thing
- o Attorney Fallon's presence at the next meeting to address questions
- o The attendance of a Town of Fairfield representative if possible
- o Information on the bond

**276-05 City Council President shall assign or form a committee to review efficiency/quality services issues and budgetary expenditure status**

Council member Mulligan stated he worked in conjunction with Council member Lyons on this item. The item involved covering expenses for the city's necessary services. He pointed out many sources are exhausted, noting that taxes are high now and the tax base is increasing. So he felt that efficiency was a method of trying to deliver an implement of service to the taxpayer. And although it may be the purview of the administration and the Mayor; he thought that the city council should be more active in reviewing departmental budgets now, and not wait until budget time. He expressed that doing prior to the new budget year; it will help relieve some of the burden on the Budget Committee if they had the information beforehand. He further thought that when they face the taxpayers' about situations such as the BOE or another department needing additional monies due to reduced services, having the information before them might aid in giving them an explanation.

Council member Lyons said she was in support of the resolution. She commented that it was frustrating to obtain and then absorb all the information at one time especially when there were too many discrepancies. So if they had an idea of what was going on, on a monthly basis, this would help the budget process along. She felt that as a safeguard, by them keeping abreast of the facts would present a wiser fact to their constituents.

Council member Curran concurred with Council member Mulligan that they didn't expect a large growth in the grand list in the next year, so any mechanism to show that they were being proactive would be helpful in having on going information from the departments.

Council member Rodgerson said the committee would be by-part, i.e., to cover the status of budgetary expenditures etc. He said that although the idea has been approached in the past, it never happened.

Attorney Anastasi stated the council rules defined what goes to what committee, but at least a portion of the responsibility would fall with the Budget Committee who will need to meet more than a few times per year. They will need to look at efficiencies in the operation and divide up the responsibility and knowledge. He stated that they needed to address whether or not the Budget Committee had the inclination to follow through on the task.

Council member Rodgerson commented that they tend to broaden the scope of the city council by forming other new committees, but then attendance is often times poor due to varied reasons. So there was a question if the matter should fall strictly under the purview of the Budget Committee.

Council member Lyons stated that wherever it's decided the responsibility will fall, it's important that it be done; due to next budget year and the need to see what's happening economically in all departments.

Council member Curran questioned if the responsibility could be split up between two committees. Council member Rodgerson repeated they were already having scheduling issues with the current committees. He thought they could have the city council put the item on a formal agenda and then review the budget items that need to be addressed.

Council member Paoletto recalled that there were provisions outlined in some of the current committee's guidelines that would accomplish addressing the budgetary issues.

Council member Mulligan said he thought he read that the council president could charge one of the committees to take on the responsibility. He thought the council president should be approached to move forward with doing that and make it happen. Attorney Anastasi suggested that the city council president poll the Budget Committee members to find out if they were up to the task first. Council member Rodgerson stated that the makers of the resolution should consult with the city council president.

Council member Walsh stated that if there was a professional level of management in the city, reports should already be compiled with each department's information. He said if that was the case, all they needed to do was request copies of the reports.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO APPROVE**

-There was no second to the motion- so she withdrew the motion.

Attorney Anastasi clarified that the council president had the authority to create a new committee per Council member Paoletto's question.

Council member Rodgerson read the resolution that was submitted by Council member Mulligan into the record. He clarified this matter didn't involve a city council rule change and that it was a Miscellaneous Matters Committee resolution.

Attorney Anastasia pointed out there were two issues:

- Form a new standing committee *or*
- Direct an existing committee to assume the new responsibility

Council member Rodgerson asked if the makers of the resolution were asking for it to happen or if they were stating that it shall happen. Council member Mulligan clarified the request is that it **shall happen** and that the city council president assign a committee. Council member Lyons added that she would approach the city council president regarding the request .

Council member Rodgerson clarified that the option of putting the item into the city council rules, results in a change to the rules that dictates that Miscellaneous Matters Committee would handle the responsibility.

\*\* COUNCIL MEMBER WALSH MOVED TO AMEND THE RESOLUTION THAT THE CITY COUNCIL PRESIDENT SHALL ASSIGN A COMMITTEE THE RESPONSIBILITY TO REVIEW EFFICIENCY/QUALITY SERVICES ISSUES AND BUDGETARY EXPENDITURE STATUS

\*\* COUNCIL MEMBER PAOLETTO SECONDED

\*\* MOTION PASSED UNANIMOUSLY

\*\* COUNCIL MEMBER PAOLETTO MOVED TO APPROVE AS AMENDED

\*\* COUNCIL MEMBER WALSH SECONDED

\*\* MOTION PASSED UNANIMOUSLY

*-resolution to be submitted to the city clerk's office-*

### ADJOURNED

\*\* COUNCIL MEMBER WALSH MADE A MOTION TO ADJOURN

\*\* COUNCIL MEMBER PAOLETTO SECONDED

\*\* MOTION PASSED UNANIMOUSLY

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

Respectfully submitted,

Diane Graham  
Telesco Secretarial Services

**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
MONDAY - OCTOBER 23, 2006**

**ATTENDANCE:** Council members: Mojica, Rodgeron, Baker, Paoletto,  
Vizzo-Paniccia, Walsh

**ABSENT:** Council member: Blunt

**OTHER COUNCILMEMBER(S):** Curran

**OTHERS:** City Attorney Anastasi, B. O'Brien; Tax Assessor,  
A. Kelly-Lenz, Acting Tax Collector

Council member Mojica called the meeting to order at 6:32 p.m.

**Approval of Committee Minutes of September 25, 2006**

**\*\* COUNCIL MEMBER PAOLETTO MOVED TO ACCEPT THE MINUTES  
\*\* COUNCIL MEMBER RODGERSON SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**146-05** Property tax issues to include abatement of erroneous taxes charged to 1300  
Fairfield Avenue House of Worship

Council member Mojica announced that the representative from the House of Worship wasn't present. Council member Vizzo-Paniccia reminded the committee that the respondent was told he didn't have to attend the next meeting.

Mr. O'Brien, the Tax Assessor clarified the matter did not involve erroneous taxes and that it was a valid tax.

Ms. Lenz stated she couldn't abate the taxes since they weren't erroneous. This results in the respondent having to pay the back taxes and any future taxes. Mr. O'Brien added it would be for 1-year of back taxes dating to year 2004.

Mr. O'Brien stated that he visited the premises numerous times and bills were sent with no responses. He said the respondent had plenty of opportunity to respond to appeals, but he didn't, instead they continuously filed erroneously. He noted that he even counseled them on the matter, but again, it was never resolved. So they are responsible for year 2004 taxes, but not any future taxes as long as they remain at a house of worship status and as long as nothing is changed or altered as far as the use they are engaged in now and have been for the last few years.

Mr. O'Brien further explained that the House of Worship historically had been filing as a charitable organization, but they aren't.

Council member Rodgerson asked how they are not considered a charitable organization. Mr. O'Brien said because they fall under Statute 1281-13 where they initially file only one time, wherein a charitable organization has to file annually.

Council member Rodgerson asked if it was possible that they filed in error. Mr. O'Brien said that wasn't known, but if that did occur, the Board of Appeals process would have applied to resolve the problem.

Council member Mojica said that since the respondent wasn't present, they would continue the matter.

Council member Walsh asked if there was something the city could do to abate the taxes. Mr. O'Brien said no, the city council can only do that for indigent circumstances upon submittal of the proper paperwork.

Council member Walsh questioned whether they filed as a nonprofit and the city accepted the filing. Mr. O'Brien said that was correct.

Council member Walsh said he would vote to abate the taxes.

Council member Rodgerson asked the amount of the taxes owed. Mr. O'Brien said the amount was approximately \$1,300.00

Council member Mojica asked since they have been given a credit to date and if they now pay the 2004 taxes, would they continue to have a credit due to being a House of Worship status. Mr. O'Brien repeated they have been historically exempt, but they were notified that they needed to file correctly.

Council member Vizzo-Paniccia asked why this matter was before the committee and not being handled by the Tax Assessor directly. Council member Rodgerson responded that he was told the city clerk took the item in error that came directly through the organization and not the city council. Council member Vizzo-Paniccia questioned then if the committee had the authority to approve it.

Council member Paoletto asked if the organization had been difficult in trying to resolve the matter. Mr. O'Brien said not necessarily.

Council member Mojica stated that they should wait to find out if the committee has jurisdiction to act on the matter.

Council member Vizzo-Paniccia agreed. She said they could then check with the city clerk's office as to why the item ended up with this committee. Council member Rodgerson asked if that was done, what appropriate action should they take.

Council member Mojica said if it was found out that they don't have the authority to act on it, they could vote the item down and refer it to the appropriate department.

Council member Paoletto stated he didn't think the item should have been before the committee to begin with. And they were just prolonging the matter that was already in place for an appeal.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE FOR THE PURPOSE OF OBTAINING THE PROPER INFORMATION FROM THE CITY ATTORNEY'S OFFICE**  
**\*\* COUNCIL MEMEBRE BAKER SECONDED**  
**\*\* MOTION PASSED WITH THREE VOTES IN FAVOR and TWO VOTES IN OPPOSITION (COUNCIL MEMBERS PAOLETTO and WALSH)**

Council member Rodgerson said he didn't want to keep bringing the people in for the small amount of \$1,300.00. Council member Mojica thought that if they had to make a decision, they would want to have them present.

Council member Mojica recalled that they have been dealing with the matter for five months and this was the first time he heard that the item shouldn't have been before the committee.

#### **190-05 Refund of Excess Payments**

Ms. Lenz distributed information pertaining to the excess payments. She said there were two refunds. She explained for N&M Bridgeport LLC there was a mistake in overlooking the exemption form and it wasn't submitted. This resulted in the exemption and the reduction in the bill. She updated that for the 3100 Madison Avenue property, the mortgage company paid the real estate taxes to the individual. They paid \$17k, but the money was due to the building owner, not the individual, so they need to repay him for the amount that was paid in error.

Council member Walsh asked how the exemption was calculated. Ms. Lenz said it resulted from a deferral over five years in a separate format. The matter went through staff, but when they took off the declaration page, they didn't see the exemption paperwork.

Council member Walsh asked if it was calculated at 50%. Mr. O'Brien said it went from 80%>60%>40%>20%>0. Council member Walsh said then it was attached to the wrong form and the city was now abating them \$17k due to a staff error. Mr. O'Brien agreed that was correct.

Council member Rodgerson commented there was a big difference between this situation due to the nature of the filing and the issue with the House of Worship previously discussed.

Ms. Lenz recapped the situation where there was a slight difference in the account# and they paid taxes on the entire building out of the owner's personal escrow account in error. She further

explained the process how they sent the tape to the mortgage company and they paid the taxes. But they then realized the mistake that was sending the \$17k to a building they didn't hold a mortgage on. In essence, they merely picked up the wrong unit.

Council member Baker asked when taxes are overpaid; is there a red flag to pick up the overpayment. Ms. Lenz said no, concentration is usually on getting checks entered into the system quickly, especially during the months of July and August.

**\*\* COUNCIL MEMBER PAOLETTO MOVED TO APPROVE**  
**\*\* COUNCIL MEMBER RODGERSON SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

**257-05** Civil Service Rule XV – Resident Preference

Council member Mojica stated that Council member Baker requested that this item be tabled due to Council member Blunt's absence.

**\*\* COUNCIL MEMBER RODGERSON MOVED TO TABLE**  
**\*\* COUNCIL MEMBER PAOLETTO SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

**261-05** Appointment of Bruce N. Gallo (D) to the Redevelopment Agency

Council member Mojica stated that the applicant's wife Mrs. Gallo phoned him to let him know Mr. Gallo would be away and not able to attend the meeting. She requested that the item be tabled until next month.

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE**  
**\*\* COUNCIL MEMBER RODGERSON SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

**270-05** Fairchild – Wheeler Golf Course Conservation Easement to the Town of Fairfield

City Attorney Anastasi said he spoke to Attorney Fallon following the board's last meeting and based on that conversation, he was satisfied this was something the City of Fairfield was committed, noting they have been consistent with requirements on similar operations. However, there was a major concern about jeopardizing future use with respect to the golf course. But according to Attorney Fallon, it won't interfere with future development rights.

Mr. Dave Cote, Director/Construction Management Services stated that last June 2005 an application was made to the Town of Fairfield; for wetlands activity in a regulated area in Fairfield at the golf course. But because there will be a new irrigation system, activities are regulated by the CT General Statute and since the course is in Fairfield, the project is administered by Fairfield Conservation. So they retained the services of Attorney Fallon to go through the process and to delineate a wetlands map. The amendment was approved and a permit was granted with

conditions. He went on to explain that they sought approval prior to getting the conditional agreement, it was approved because they knew they had to go through the process. But when the easement agreement was drafted, a question arose about authorization, so that's why the item was on the agenda tonight. He clarified that when they received the Park's & Recreation Board approval, he thought that was all the authorization that was required (*he distributed copies of the conditional approval from the Town of Fairfield*).

Mr. Cote continued and spoke about the stream bank erosion control along the southerly line of the golf course. He said they began the irrigation project and all the conditions have been met and the easement agreement adhered to. He further stated that the area where the wetlands are will be protected.

Council member Vizzo-Paniccia asked if all the other golf courses would be doing the same thing. Mr. Cote said that Brooklawn Golf Course went through a similar process and H. Smith Richardson Golf Course and Patterson Club are expected to submit applications. City Attorney Anastasi commented there would be similar treatments made as other applications come in. He further stated that the control of reason was before them due to the matter of giving up real property and it was thought that the city council should be involved.

Council member Mulligan asked if the new bridge would be mowed right through the stream, he questioned why the distinction. City Attorney Anastasi said by applying the additional irrigation to the course, they were increasing run off to the golf course. Council member Mulligan mentioned that Brooklawn Golf Course had a full irrigation system. He emphasized that the bridges looked new.

City Attorney Anastasi pointed out that the city council already agreed to this request and time has already passed to retract that, so there was no capacity to claim the city was being treated worse than others.

Council member Mulligan asked if they would be able to apply insecticide next to the weeds to curb any onset of West Nile Virus. Attorney Anastasi said if it became a matter of a health emergency, they would probably be aerial spraying, but they couldn't insist that be done on a local level.

It was said that they were obligated to keep the grass at 3 feet. Mr. Cote said the grass probably wouldn't get to that height though.

Council member Mojica asked about neighbors the golf course being affected. Mr. Cote said there shouldn't be any problems, because they plan on providing a natural buffer around the water course.

Council member Vizzo-Paniccia asked if the request was approved, would they be able to make sure it's not just Bridgeport being labeled around the 30 foot area and that other golf courses follow suit in the future. Mr. Cote said that was a legal question.

Council member Mulligan asked if the creek ran along the golf course north to south. Mr. Cote said they provided a delineation map to denote the buffer zone that will start at Sacred Heart University up to a long stretch of designated area.

Council member Mulligan asked if the work that will be done on the golf course would prevent flooding. Mr. Cote said they were pushing that issue with Fairfield in the hope that they address the problem, but the golf course was the last stanchion of open space. And considering that it turns into culverts at the southern end that are undersized; they asked Fairfield Conservation about putting in culverts, but they can't hold the permit hostage to get them to solve the drainage problem. But they will continue to address the issue.

\*\* COUNCIL MEMBER PAOLETTO MOVED TO APPROVE  
\*\* COUNCIL MEMBER RODGERSON SECONDED  
\*\* MOTION PASSED UNANIMOUSLY

#### 288-05 Appointment of Anne Cunningham's to the Library Board of Directors

Council member Mojica welcomed Ms. Cunningham to the meeting.

Ms. Cunningham approached and gave her address as 1110 Laurel Avenue, Bpt., CT 06604.

Council member Mojica asked her why she wanted to serve on the library board and if she foresaw any problems attending meetings. Ms. Cunningham said she was born and raised in Bridgeport and she raised three children here and she taught in the Bridgeport school system for thirty years. She expressed that the library was an important community service. She commented that she believed Bridgeport would come back, so she wanted to be a part of encouraging rebirth in the city.

Council member Walsh asked what her party affiliation was. Ms. Cunningham said she was a Republican.

Council member Mojica asked Ms. Cunningham how she became interested in serving on the board. Ms. Cunningham said she contacted them and then she submitted her resume and was subsequently interviewed by the committee board.

It was stated by the Assistant City Librarian that was present that they had all of the Ms. Cunningham's paperwork, background checks and attendance record.

Ms. Cunningham noted that she taught history and part of the studies include giving them an overview of historical collections.

Council member Baker asked if this was a reappointment. Ms. Cunningham said no, this was a new appointment, but she has already begun attending the meetings pending approval by this committee.

Council member Paoletto commented that if Ms. Cunningham had a good attendance record before officially serving on the board, he thought that was commendable of her to attend meetings that often. So by virtue of that, he felt she showed a willingness to do the right thing.

Council member Walsh asked if they had a status of her tax history. Council member Mojica said no. Ms. Cunningham said she had been through the Ethics Commission process and that her taxes were paid up to date. Council member Mojica noted that Ethics Commission paperwork was the only information missing.

Council member Walsh stated that there was a finding with language from former Judge Saden that requires the city council to act promptly on these matters, so he didn't want to hold the process up, but he didn't want to rush through it either. It was suggested that if the committee didn't see any other problems with the appointment, they could approve it pending obtaining the information from the Tax Department. And then make the final approval. Council member Paoletto asked if that could be done before Monday.

**\*\* COUNCIL MEMBER RODGERSON MOVED TO APPROVE PENDING (COUNCIL MEMBER MOJICA'S) OBTAINING THE TAX STATUS OF THE PROPOSED APPOINTEE BEFORE THE NEXT CITY COUNCIL MEETING SCHEDULED IN NOVEMBER**  
**\*\* COUNCIL MEMBER BAKER SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

*\*It was clarified that Council member Mojica would get the tax information and forward it to the city council members for their review.*

### ADJOURNED

**\*\* COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN**  
**\*\* COUNCIL MEMBER RODGERSON SECONDED**  
**\*\* MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Diane Graham  
Telesco Secretarial Services

**CITY OF BRIDGEPORT  
MISCELLANEOUS MATTERS COMMITTEE  
REGULAR MEETING  
NOVEMBER 27, 2006**

**ATTENDANCE:** Keith Rodgerson, Co-Chair; Rafael Mojica, Co-chair; Andre Baker, Robert Walsh, Warren Blunt (6:45 p.m.)

**OTHERS:** Council Member Donna Curran; Council Member Thomas Mulligan, Bruce Gallo, Joseph Celli, Black Rock Performing Arts Center; Attorney E. Winterbottom, Labor Relations; City Attorney Mark Anastasi.

**CALL TO ORDER**

Chairman Rodgerson called the meeting to order at 6:40 p.m. There was a quorum present.

**APPROVAL OF THE OCTOBER 23, 2006 MEETING MINUTES**

**\*\* COUNCIL MEMBER BAKER MOVED TO APPROVE THE MINUTES OF THE OCTOBER 23, 2006 MEETING.**

**\*\* COUNCIL MEMBER MOJICA SECONDED.**

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

**257-05 – CIVIL SERVICE RULE XV – RESIDENT PREFERENCE**

Council Member Blunt stated that some new requests had come in regarding this subject and requested that this item be tabled.

**\*\* COUNCIL MEMBER MOJICA MOVED TO TABLE 257-05 – CIVIL SERVICE RULE XV – RESIDENT PREFERENCE.**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

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

**261-05 – APPOINTMENT OF BRUCE N. GALLO (D) TO THE REDEVELOPMENT AGENCY.**

When asked by the Chair why he was interested in this position, Mr. Gallo stated that he had lived in the lack Rock section of the City for 10 years. He also stated that as a futures trader, he was interested in predicting the future. Council Member Mojica commented that the Miscellaneous Matters Committee had reviewed Mr. Gallo's paperwork during the September meeting and everything appeared to be in order. Mr. Gallo stated that his job as a crude oil trader was about to become electronic, so that he

would have more time at home, which would allow him to devote time to the Redevelopment Agency.

Council Member Baker asked for examples on how Mr. Gallo felt he could contribute to the Redevelopment Agency. Mr. Gallo explained that his father was a contractor, so he was familiar with the business. He said that he was interested in planning the City's future. Mr. Gallo explained that he had read an evaluation from the Regional Planning Association a number of years ago and felt that Bridgeport was a good place to live. It has a deep water harbor, railroads, an airport and an adequate road system. Mr. Gallo stated that he always had an interest in future development and proper planning. Council Member Baker asked about the Steele Point project and its impact on the City. Mr. Gallo said that he felt it would be a great asset to the City, but he was also concerned about the development inland also. Council Member Baker asked about his views on affordable housing in the Steele Point project. Mr. Gallo replied that the project was likely to go in stages and the affordable housing would not likely be near the waterfront. He also pointed out that he was not the developer. Council Member Baker asked Mr. Gallo if he felt affordable housing should be located there at Steele Point. Mr. Gallo said that he had no objection to affordable housing at Steele Point. He pointed out that this would be something the developer would have to hammer out with the City, but did not believe this would hinder the development.

Council Member Walsh stated that he had reviewed the tax background check on Mr. Gallo and that there were no outstanding real estate taxes for Mr. Gallo. Council Member Walsh asked if Mr. Gallo had vehicles registered in the City. Mr. Gallo replied that he had three vehicles registered in Bridgeport under his name. Council Member Walsh stated that there have been problems in the past with possible applicants having outstanding taxes. He stated that normally the report would say that there were no problems with either the real estate or the automobile taxes. Mr. Gallo said there had been a problem a number of years ago when he had become aware of back taxes on his vehicles. Council Member Walsh asked for a clarification on this issue. *Council Member Walsh then passed the tax office report around to the other members of the Committee.*

Council Member Walsh then asked how Mr. Gallo had become a possible appointee to the Redevelopment Agency. Mr. Gallo said that one of his neighbors was on the Agency and that he had expressed his interest in this area. The Mayor Fabrizi had asked Mr. Gallo to be on the Agency. Council Member Walsh asked Mr. Gallo what he knew about the Committee. Mr. Gallo said that he did not know a great deal about the Agency and its role. He also said that he was not sure how often the Agency met. Council Member Walsh asked him if he was expecting to discover this information after his appointment. Mr. Gallo said that he believed that the Agency met at least once a month and that he would become more familiar with the role of the Agency as he participated on it.

Council Member Walsh then read into the record the state law, which allows the City to form a Redevelopment Agency.

“The Declaration of Public Policy - It is found and declared that there have existed and will continue to exist in the future in the municipalities of the State, substandard, unsanitary, deteriorated, deteriorating, slum or blighted areas which constitute a serious and growing menace, injurious and (inaudible word) to the public health, safety and morals of the residents of the State. That the existence of such areas contribute substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency and for the maintenance of adequate police, fire and accident protections and other public services and facilities and the existence of such areas constitutes an economic and social liability, substantially impairs or arrests the sound growth of the municipalities and retards the provision of housing accommodations. If this menace is beyond remedy and control, solely by regulatory process and the exercise of police powers can not be dealt with effectively by the ordinary private enterprise without the aids herein provided. That the acquisition of property for the purpose of eliminating substandard, insanitary, deteriorated, deteriorating, slum or blighted conditions there on or preventing reoccurrence of such conditions in the area, the removal of structures and the improvement of sites, the disposition of property for redevelopment incidental to the foregoing, the exercise of powers by the municipalities acting through agencies known as Redevelopment Agencies are herein provided with any assistance which may be given to any public body in connection therewith or public usage and purposes for which for which public money can be expended and the power of eminent domain exercised.”

Following the conclusion of his reading of this purpose statement, Council Member Walsh asked if this sounded like Black Rock. Mr. Gallo stated that it sounded like the current rage for eminent domain following the problems in Groton. He stated that he was sure there were some areas that require eminent domain and thought that if the area was put to a better use, then the Agency should aid the area in achieving this. Council Member Walsh asked the fellow committee members to look at the current list of Committee members for the Redevelopment Agency. He pointed out that none of the Committee members lived in areas likely to be affected by the Redevelopment Agency. Council Member Walsh stated that the list indicated to him that there was not proper representation of the areas which will be most affected by the Redevelopment Agency. When Mr. Gallo asked Council Member Walsh if he felt that the members who do not live in the area would not be objective regarding the issues, Council Member Walsh replied that those who do not live in the area might not fully comprehend the problems and the issues. Council Member Walsh went on to point out that that City Charter states that every effort should be made to appoint members to Boards and Commissions that reflect the ethnic and economic diversity of the City. He then stated that he did not see

that in this appointment and the Board right now. This should be thought about long and hard before making an appointment to the Agency.

Council Member Walsh asked City Attorney Anastasi to comment on the fact that members of the Redevelopment Agency, the Housing Site Development Agency, and the Urban Homesteading Agency all serve different lengths of time regarding their terms. Attorney Anastasi commented that based on what Council Member Walsh read into the record that the appointment would be for a five year term, with some subsequent appointments of lesser duration by virtue of the office held as a Redevelopment Agency five year term. He stated that he did not know if there was actually a problem with these shorter term appointments. Council Member Walsh stated that the City records show that the composition of the Bridgeport Redevelopment Agency- Housing Site Development Agency, mentions a five year term, but the City ordinance state that the Housing Site Development states that appointment are for two years, and Urban Homesteading has a three year term. Attorney Anastasi observed that this had not been a problem in the past. Council Member Walsh replied that perhaps the issue had not been brought to light in the past and may not have been a problem or that the boards did not act illegally. Attorney Anastasi agreed that this may be the first time that the issue has been raised, but that this did not mean that it is improper for a few reasons, which he then cited. He concluded that this was an issue that he was not prepared to address in any depth at this meeting. Council Member Walsh asked City Attorney Anastasi to look into this because it seems to beg for an amendment to the ordinances. Attorney Anastasi replied that he would look into the overlapping terms but went on to say that he did not think that these concerns should delay the appointment before the Committee. Council Member Walsh commented that he had heard that the Board had not met in a year because of lack of a quorum. Attorney Anastasi commented that he was unaware of this, but that this was yet another reason to act on the appointment. Council Member Walsh replied that with the other ambiguities and conflicts with the ordinances, there was a need to straighten this out. Attorney Anastasi repeated that the problems went beyond this one appointee and could be dealt with in the future. The most pressing concern was to have a fully staffed and functional Board, capable of assembling a quorum for a meeting. He reiterated that he would provide Council Member Walsh with an answer regarding the overlapping terms by the first December Council meeting.

Council Member Mojica then pointed out that the paperwork states that Mr. Gallo will be replacing the seat held by Mr. O'Malley and that the term would expire on March 1, 2007. Council Member Mojica commented that perhaps the Mayor could be more diverse in choosing candidates for any of the City Boards, but pointed out that this should not be held against Mr. Gallo, who wishes to serve. Council Member Mojica stated that he would vote in favor of the appointment.

Council Member Walsh stated that the phrase "in the future" can be used, but that it does not deal with the problem in the present. He stated that if the problem was not dealt with

at the present time, it would remain on a “wish list”. Council Member Walsh stated that this was part of the City Charter. Too often in the past, the Council has failed to step forward and demand that the Mayor, regardless of who is in the office, provide qualified candidates that reflect the diversity of the City.

Council Member Walsh stated that by the Mayor stated one of the proposed duties of the Redevelopment Agency was that the Redevelopment Agency would be reviewing the RFPs on the Black Rock Arts Center. When Mr. Gallo commented that he was not aware of that, Council Member Walsh was skeptical. Mr. Gallo went on to say that he was not aware that the Board would have the power to do something like this. Council Member Walsh stated that the Redevelopment Agency would review the RFPs and select the most qualified. Council Member Walsh stated that he had an article from the Connecticut Post dated August 20, 2006. He then proceeded to read a quote that identified Mr. Gallo as a member of the Redevelopment Agency and cited Mr. Celli’s lack of ability to raise funds for the Arts Center. Mr. Gallo replied that some of the information was taken out of context and explained that he felt the area needed an Arts Center, but did not think that particular parcel was well suited for the Center. Since the Center is a destination spot, there were other spots on the Avenue that were blighted. He felt that location might not be in the best interest of the City. Council Member Walsh then challenged Mr. Gallo on whether he would be able to be on the Redevelopment Agency board without a preformed opinion in light of his comments in the newspaper article.

Attorney Anastasi stated that he was not certain as to whether or not Mr. Celli’s organization responded to the RFP. Regardless, the process needs to be decided based upon the submittals and that it was important not to taint the process by discussing the substance. Council Member Walsh replied that the Committee was looking at an appointee’s character and ability to remain impartial and not form opinions based on rumors or innuendoes. Attorney Anastasi pointed out that the statements made by Mr. Gallo in the paper were made by an individual citizen, who is entitled to an opinion regarding that issue. The questions raised are appropriate if and when the nominee is appointed and if and when the RFP process brings the documents to the Board and if and when Mr. Celli’s organization is a participant in that RFP process. At that time, all the Commissioners will have to make the determination as to whether they have prejudged the matter or whether they can act impartially and fairly. That is a decision that, with all due respect, that the Committee members can inquire about, but can not draw a firm conclusion at this time. Council Member Walsh stated that he could vote against Mr. Gallo because he did not wear a tie. City Attorney Anastasi replied that he did not tell Council Member Walsh how to vote. Council Member Walsh stated that by Attorney Anastasi saying he could not consider this matter, Attorney Anastasi was telling Council Member Walsh how to vote. Chairman Rodgerson then requested that the Committee members keep the discussion germane to the issue.

Council Member Walsh then produced an email that was authored by Mr. Gallo, which was sent to a number of recipients about the Black Rock Arts Center. Council Member Walsh read the text of the email, which was against Mr. Celli's position at the Black Rock Arts Center. Chairman Rodgerson stated that Council Member Walsh was doing this to prove Mr. Gallo's predilection against the Black Rock Arts Center. Council Member Walsh went on to state that these accusations in the email were not based on fact and the point illustrates the character of the appointee. Mr. Gallo asked if he was no longer entitled to his own opinion. Council Member Walsh said that Mr. Gallo was entitled to his own opinion but that as far as the character of the nominee, as far as his ability to withhold judgment until an opportunity to view all the facts in regard to the issues involved.

Council Member Mojica asked for the date on the email. Council Member Walsh stated that it was August 4, 2006. Attorney Anastasi asked permission to point out for the record that at the time the statements were made, the nominee did not have the duties to exercise the investigation, deliberation and the other responsibilities that Council Member Walsh is referring to, which he would have if he had been on the Commission. Council Member Mojica stated that there were no appointees that had been presented to the Committee who had prior knowledge regarding training for their particular board. All training occurs after the appointment. As far as Mr. Gallo's personal opinions before the fact, Council Member Mojica reminded the Committee members that they have examined the paper work and make a decision. The Committee does not make decisions on newspaper articles or what the appointee's personal opinions are. Council Member Mojica stated that Council Member Walsh had the right to vote yes or no for the candidate. However, Council Member Mojica did not feel that this should influence the decision that was before the Commission.

Council Member Walsh asked Mr. Gallo if he did in fact approach the City Council in order to obtain a lease for Harbor Yards. Mr. Gallo stated that he could have located a team at the stadium because he was concerned about the prior lessee was skirting the issue and begging to have the rent significantly reduced. He stated that he wanted to give the City an alternative. He stated that this could have been much more Bridgeport friendly, but it never worked out. The City decided to approve a different plan and Mr. Gallo did not pursue his plan. Council Member Walsh stated that this was not a well thought out plan. He said he would like to see a nominee who is more suited to the Redevelopment Board and stated he was prepared to vote against the nomination.

Council Member Walsh stated that there were many more vacancies on various boards in the city that he would be happy to have Mr. Gallo participate on, but Council Member Walsh felt that Mr. Gallo has a biased opinion against the Black Rock Arts Center. Chairman Rodgerson asked Council Member Walsh to clarify his line of reasoning regarding the ballpark. Council Member Walsh replied that to him, Mr. Gallo's plan

seemed impetuous and a last minute suggestion with no basis in reality. This did not speak to the kind of character that the City should be appointing to the Boards.

Council Member Mojica asked Mr. Gallo about residential redevelopment which range in the area of 300 to 400 thousand dollars. Council Member Mojica pointed out that the average person who has lived in Bridgeport for years can not afford this price range. Mr. Gallo stated that this was his concern inland because he was familiar with the Hollow area. Pride of ownership is critical, but affordable housing needs to be available in order to clean up the neighborhood.

Council Member Baker commented that he saw many different qualities in Mr. Gallo that would be appropriate for other boards. However, he did not see anyone from the East Side of Bridgeport on the list of Redevelopment Agency members and felt this needed to be addressed.

**\*\* COUNCIL MEMBER BAKER MOVED TO TABLE THE APPOINTMENT OF MR. BRUCE N. GALLO AND RETURN THE NOMINATION TO THE MAYOR FOR FURTHER CONSIDERATION.**

**\*\* COUNCIL MEMBER WALSH SECONDED.**

**\*\* THE MOTION PASSED WITH THREE IN FAVOR (BAKER, BLUNT, AND WALSH) AND ONE AGAINST (MOJICA).**

Council Member Curran asked for permission to address the Committee regarding the issue of the Redevelopment Agency and their meeting frequency. Chairman Rodgerson recognized Council Member Curran. Council Member Curran stated that she had been attempting to get the Redevelopment Agency to meet because one of the businesses in her area, Black Rock Castle, needed the Agency to render a decision. The problem first arose in December of 2002 and persisted since then. She also pointed out that the Agency has oversight on both the Black Rock Performing Arts Center and Black Rock Castle which are both anchors in the neighborhood. Chairman Rodgerson asked Council Member Curran to ask as the Minority Leader for clarification on the role of the Board and its responsibilities. Council Member Curran said that she would speak with the staff tomorrow.

*Council Member Mojica left the meeting at this point.*

**298-05 CORRECTION OF CLERICAL ERROR ON THE TERM OF EXPIRATION: HOWARD T. OWENS, - ETHICS COMMISSION (#79-05 ADOPTED 4/3/06)**

Chairman Rodgerson stated that a clerical error had been discovered on Judge Owens's appointment regarding the expiration date. Council Member Walsh asked if the correct expiration was 2008 rather than 2007.

Council Member Walsh asked where the error had originated. Chairman Rodgerson said he was not sure. Council Member Walsh said that the Council had passed an ordinance related to appointing individuals to commissions. At that time the appointment is made, there must be a one to one relationship between the appointee and the vacancy on the board. Council Member Walsh stated that he wanted to insure that the appointment expiration date was being changed because it was the original appointment and not another vacancy. Chairman Rodgerson asked Council Member Walsh to reiterate the problem for clarification. Council Member Walsh stated that the clarification is that the incorrect expiration date is due to the fact that Judge Owen was originally named to replace one member and subsequently has replaced another, which would result in the expiration date being changed and not because of a clerical error. Council Member Walsh said that this would be contrary to what the Council had originally voted upon.

**\*\* COUNCIL MEMBER WALSH MOVED TO TABLE 298-05 CORRECTION OF CLERICAL ERROR ON THE TERM OF EXPIRATION: HOWARD T. OWENS, - ETHICS COMMISSION (#79-05 ADOPTED 4/3/06) PENDING THE CLARIFICATION OF THE SOURCE OF THE ERROR.**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

**\*\* THE MOTION PASSED WITH TWO IN FAVOR (BAKER AND WALSH) AND ONE AGAINST (BLUNT)**

**146-05 PROPERTY TAX ISSUES TO INCLUDE ABATEMENT OF ERRONEOUS TAXES CHARGED TO 1300 FAIRFIELD AVENUE HOUSE OF WORSHIP**

Chairman Rodgerson said that it had been hoped that someone from the Tax Collector's office would be able to attend. He commented that this item has been before the Committee many times. Council Member Walsh said that he was prepared to vote to approve the abatement. He stated that this had been ongoing. Attorney Anastasi commented that the problem was that the Committee did not have any statutory authority to abate the taxes. Council Member Walsh stated that the Committee had requested that opinion be put in writing and that has not yet been done. Attorney Anastasi replied that he was not obligated to issue a written opinion with respect with matters that are not ordinance related. He stated that it is very clear that the statutorily the authority rests with the Tax Assessor. Attorney Anastasi then suggested that the Committee request that a representative from the Tax Collector's Office attend the meeting. Council Member Walsh replied that this had been done several times and that he wished to approve the abatement. Attorney Anastasi pointed out that the action would not be enforceable and would just create false expectations on the part of the public. He then suggested that the council members use their authority under the charter by asking for a report from the department regarding this situation. A program was instituted by the Assessor's Office to insure that the proliferation of religious organizations in the City were legitimate.

Something over 40% of the property in the City is currently tax exempt. Council Member Walsh replied that was because approximately half of that land was owned by the City.

*Council Member Mulligan and Council Member Mojica both joined the meeting at 7:30 p.m.*

Council Member Mulligan pointed out that the Tax Assessor was present at the last meeting. Council Member Mojica said that this had been before the Committee for a long time and that the Tax Assessor and Tax Collector had spoken with the Committee. He commented that with the item lingering on the agenda for as long as it has, it is not doing any justice to the mosque and it should be referred to the proper authority.

Council Member Walsh that there was a non-profit in the City that owed several thousand in back taxes and that could not get a building permit because of the outstanding taxes. He then went on to say that the tax delinquency was lifted for a day in order to allow a building permit to be filed. He pointed that out that Committee could not get too wrapped up on what could and could not be done by the Committee when things like this were being done by the Administration on a day to day basis. Council Member Walsh stated that there were small businesses where the Tax Assessor has made up a dollar amount for the assessment, knowing that if the business was to file an appeal in court it would cost \$300. He claimed that the Tax Assessor said that the group had called themselves a “non-profit” instead of calling themselves a “house of worship”. The tax liability between the two classes is nothing. But because they filled out the wrong form, they are being assessed as a for profit entity and therefore must pay the taxes. Council Member Walsh then stated that someone was going along making up the rules and determining for themselves what would be a religious institution and what is not.

Chairman Rodgeron asked Attorney Anastasi to speak to the item referred to by Council Member Walsh about mayoral authority in abating taxes. Attorney Anastasi stated that he did not know of any instance where this had occurred. Council Member Walsh replied that it was the old Colby High School. Attorney Anastasi said that he assumed that Council Member Walsh was talking about a prior administration. Council Member Walsh stated that he was talking about the current administration. Attorney Anastasi reiterated that he had no knowledge of that situation. Council Member Walsh stated that at the old Colby High School site a building permit was needed this summer for renovations for the expansion of Bridge Academy. Attorney Anastasi repeated again that he was not aware of this. Council Member Walsh said that he was not saying that it was an abatement, but that the arrears were lifted for one day. Attorney Anastasi stated that with Council Member Walsh’s suspicions aside, there was clearly no evidence that this Tax Assessor, Tax Collector, Administration or City Government in any way discriminated against one religion versus another based upon whether they are Catholic, Muslim, Jewish or anything else. He also thought that it would be appropriate to point out for the record that there is absolutely no evidence in front of this Committee that the

Tax Collector, Tax Assessor or anyone else is playing games with the taxes. If Council Member Walsh feels that someone is playing games, then as a Council Member, he should have this investigated. Attorney Anastasi went on to say that he felt that this was irresponsible and counter productive to make these kinds of statements that do nothing other than demean the City and reduce the respect for the Administration.

**\*\* COUNCIL MEMBER MOJICA MOVED TO DENY THE APPLICATION FOR 146-05 PROPERTY TAX ISSUES TO INCLUDE ABATEMENT OF ERRONEOUS TAXES CHARGED TO 1300 FAIRFIELD AVENUE HOUSE OF WORSHIP AND ADVISE THE APPLICANT TO APPLY FOR AN APPEAL TO THE BOARD OF ASSESSMENT APPEALS.**

**\*\* THE MOTION FAILED FOR LACK OF A SECOND.**

Council Member Baker asked if the Committee has the authority to approve the abatement. Chairman Rodgerson stated that the City Attorney has stated that the Commission does not and this would be unenforceable and illegal. Council Member Baker asked what would happen if the Council approved the motion. If the Council approves the motion, then the Tax Assessor would be advised of this, Attorney Anastasi. The reason why elected official do not have the authority to do this is to keep the politics out of Tax Abatement. Council Member Walsh asked if the Council could grant a (inaudible word). Attorney Anastasi replied that this would be appropriate because it is granted under the ordinance, but are restricted to new investments.

**\*\* COUNCIL MEMBER WALSH MOVED TO APPROVE 146-05 PROPERTY TAX ISSUES TO INCLUDE ABATEMENT OF ERRONEOUS TAXES CHARGED TO 1300 FAIRFIELD AVENUE HOUSE OF WORSHIP.**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

**\*\* THE MOTION PASSED WITH THREE IN FAVOR ( BLUNT, WALSH AND BAKER) AND ONE AGAINST (MOJICA).**

### ADJOURNMENT

**\*\* COUNCIL MEMBER MOJICA MOVED TO ADJOURN**

**\*\* COUNCIL MEMBER BAKER SECONDED.**

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

The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services

City of Bridgeport  
Miscellaneous Matters Committee  
Regular Meeting  
November 27, 2006  
Page 10