

**MINUTES OF THE MEETING OF THE
LITIGATION SETTLEMENT COMMITTEE
Wednesday, July 6, 2011**

Committee Members Present: Mr. Robert Smuts, Acting Chairman; Alderman Jorge Perez; Alderwoman Arlene DePino; Mr. Michael O'Neil, Controller; and Mr. Joseph Clerkin, Designee for Management and Budget

Corporation Counsel Staff Present: Victor Bolden, Corporation Counsel; Michael Wolak, Senior Assistant Corporation Counsel; and Nancy Pepe, Legal Assistant II.

LCI: Mr. Erik Johnson, Director

Meeting Started: 5:32 p.m.

Meeting Ended: 5:50 p.m.

Mr. Smuts called the meeting to order at 5:32 p.m.

Alderman Perez moved approval of the minutes of the June 22, 2011 meeting. Mr. Clerkin seconded the motion. Alderwoman DePino abstained because she was not present at the June 22, 2011 meeting. The motion passed.

Office No. L09-0080- Alberta Scasino v. City of New Haven – Attorney Bolden summarized the issues regarding this matter to the Committee Members. The Committee had no questions.

The motion to approve the recommendation passed unanimously.

Alderwoman DePino moved approval of Office No. L10-0317. Mr. Clerkin seconded the motion.

Office No. L10-0317- Alan Felder v. Rafael Ramos, et al – Attorney Wolak summarized the issues regarding this matter to the Committee Members. Alderman Perez asked if this was the same case that was on the agenda at the last meeting regarding Mr. Ramos. Attorney Bolden stated this is not the same case, it's the same employee. Alderman Perez asked what the problem was with Mr. Ramos. Perhaps he is using his cell phone while driving. Mr. Johnson explained that he can't speak about the first accident involving Mr. Ramos, as that accident occurred prior to his tenure. The second accident did happen while he was Mr. Ramos' supervisor. For the record, Mr. Johnson stated that Mr. Ramos is a tremendous public servant who goes beyond the call of duty to be sure people are safe. That being said, Mr. Ramos is sometime too exuberant in his pursuit to do right by citizens and at times can be over anxious which can cause mistakes. His penalty has been that he currently has limited access to a city vehicle. He has been forced to use his own vehicle for the last six months, which is as much of a penalty that can be employed as this is a catch 22 because Mr. Ramos is

often the one that responds to incidents that occur late at night, early in the morning and on the weekends. Alderman Perez stated that Mr. Johnson can write him up to start constructive action as it is ridiculous to have accidents where he is running into the backs of other people's vehicles. Mr. Smuts asked if he has other accidents on the record. Attorney Wolak stated he is not aware of any others. Mr. Johnson stated that this is taken seriously. Mr. Johnson stated that he has spoken to Mr. Ramos and told him he needs to use the appropriate hand-held devices or pull over to the side of the road. Mr. Johnson stated that he will take Alderman Perez's disciplinary recommendation under advisement. Attorney Wolak explained to the Committee Members that although these two accident involving Mr. Ramos came in front of this Committee within a few weeks, the accidents occurred slightly three years apart.

Attorney Bolden thanked Mr. Johnson for attending the meeting and stated that he felt it might not be a bad idea to bring Department Heads into this meeting to meet the Committee Members personally instead of them just providing memos with regards to discipline action taken.

The motion to approve the recommendation passed unanimously.

A motion was made to adjourn the meeting. The motion was seconded and passed unanimously.

The meeting was adjourned at 5:50 p.m.