

**MINUTES OF THE MEETING OF THE
LITIGATION SETTLEMENT COMMITTEE
Wednesday, February 2, 2011**

Committee Members Present: Mr. Lawrence Rusconi, Chairman, Mr. Robert Smuts, Chief Administrative Officer, Alderman Jorge Perez; and Mr. Mark Pietrosimone, Controller.

Corporation Counsel Staff Present: Victor Bolden, Corporation Counsel; Meghan Kantor, Assistant Corporation Counsel; Audrey Kramer, Assistant Corporation Counsel; and Nancy Pepe, Legal Assistant II.

Outside Counsel: Richard Levy, Esq.

Meeting Started: 5:30 p.m.

Meeting Ended: 6:05 p.m.

Mr. Rusconi called the meeting to order at 5:30 p.m.

Mr. Smuts moved approval of the minutes of the January 19, 2011 meeting. Alderman Perez seconded the motion. Mr. Rusconi abstained because he was not present at the January 19, 2011 meeting. The motion passed.

Office No. L10-0323 – City of New Haven v. Wayne Jackson. It was recommended that this matter be discussed in an executive session.

Mr. Smuts moved the Committee enter into an Executive Session to discuss Office No. L10-0323 with Attorney Bolden, Attorney Kantor and Attorney Levy. Mr. Pietrosimone seconded the motion. The motion passed unanimously

The Committee entered into Executive Session at 5:32 p.m.

A motion was made to exit Executive Session. The motion was seconded and passed unanimously. The Committee exited Executive Session at 5:55 p.m.

The Committee approved the Recommended Settlement for Office No. L10-0323.

Mr. Smuts moved approval of Office No. L08-0086. Alderman Perez seconded the motion.

Office No. L08-0086 - Marie Corvi v. City of New Haven – Attorney Kramer summarized the issues regarding this matter to the Committee Members. Alderman Perez asked if the City had prior notice. Attorney Kramer stated that there may not be actual notice but a jury could find constructive notice. This means the City should have known because the condition existed for a period of time. Mr. Rusconi asked if the area has since been repaired. Attorney Kramer stated no, it has not yet been repaired. Mr. Smuts stated that this incident occurred in 2007 and still has not been repaired.

Attorney Kramer explained that Jeffrey Pescosolido, Chief of Operations, Department of Public Works has been notified and stated it will be repaired.

Mr. Rusconi asked if there is a system to follow up on these sidewalk defects. Attorney Kramer stated that, as far as she knows, Public Works receives a copy of all Notices that the Office of the Corporation receives. Alderman Perez asked if there is a system to keep track of work-orders/requests. Mr. Smuts stated there is City Works which is now in place. Mr. Smuts stated that his concern is that any notice that come to Corporation Counsel also go to Public Woks. Alderman Perez stated that there needs to be a way to know that Public Works has received these complaints. Mr. Smuts suggested that perhaps a list of notices can periodically be forwarded to John Prokop, Director of Public Works. Attorney Bolden stated that he would coordinate with Mr. Prokop.

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 6:05 p.m.