

**MINUTES OF THE MEETING OF THE  
EMERGENCY LITIGATION SETTLEMENT COMMITTEE  
Thursday, May 6, 2010**

**Committee Members Present:** Mr. Lawrence Rusconi, Chairman; Mr. Robert Smuts, Chief Administrative Officer; Alderman Jorge Perez; and Alderwoman Arlene DePino.

**Corporation Counsel Staff Present:** Victor Bolden, Corporation Counsel; Vikki Cooper, Deputy Corporation Counsel; and Paula Pernal, Executive Assistant.

**Meeting Started:** 5: 39 p.m.

**Meeting Ended:** 6:02 p.m.

Mr. Rusconi called the meeting to order at 5:39 p.m.

Mr. Smuts moved approval of Office No. L08-0139. Alderwoman DePino seconded the motion.

**Office No. L08-0139 – Lana Glassen v. City of New Haven** – It was recommended by Attorney Cooper that this matter be discussed in an executive session.

Mr. Smuts moved the Committee enter into an Executive Session to discuss Office No. L08-0139 with Attorney Cooper. Alderman Perez seconded the motion. The motion passed unanimously

The Committee entered into Executive Session at 5:41 p.m.

Attorney Bolden arrived during the Executive Session.

A motion was made to exit Executive Session. The motion was seconded and passed unanimously. The Committee exited Executive Session at 5:56 p.m.

Mr. Smuts asked about the liability and the sinkhole being caused by someone other than the City. Alderman Perez asked if the easement requires them to maintain the sidewalk and perhaps the City can get them to come back and fix the street. Attorney Cooper stated that perhaps it was an electrical UI vault that caused the sinkhole, however, who participated in this excavation is unknown. Attorney Cooper stated that she will follow up with Jeff Pescosolido, Chief of Operations; Department of Public Works, to make sure that if someone other than the City is responsible, they go back and do the work correctly. Mr. Smuts asked about their vault damaging the City Street, and if the City could shift liability. Attorney Cooper stated that she doesn't believe that's possible for this particular case because the City probably has not put them on notice. However, they will be put on notice now.

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 6:02 p.m.