

**MINUTES OF THE MEETING OF THE
LITIGATION SETTLEMENT COMMITTEE
Wednesday, September 8, 2010**

Committee Members Present: Mr. Robert Smuts, Acting Chairman; Alderman Jorge Perez; Mr. Mark Pietrosimone, Controller; and Edward Piazza, Esq.

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

Meeting Started: 5:38 p.m.

Meeting Ended: 5:50 p.m.

Mr. Smuts called the meeting to order at 5:38 p.m.

Mr. Pietrosimone moved approval of the minutes of the August 25, 2010 meeting. Alderman Perez seconded the motion. Attorney Piazza abstained because he was not present at the August 25, 2010 meeting. The motion passed.

Attorney Piazza moved approval of Office No. L08-0044. Mr. Pietrosimone seconded the motion.

Office No. L08-0044 - Eric Scott v. Louis Argentino, et al – Attorney Kramer summarized the issues regarding this matter to the Committee Members. Alderman Perez asked if this employee was working for this company. Attorney Kramer stated yes. He was hired for extra duty. Mr. Pietrosimone asked about employees of the City of New Haven that are hired by other companies for one or two days and get hurt while on the extra duty assignment. Is it the City's responsibility to pay workers' compensation? Attorney Piazza explained that extra duty officers get paid by the City and the companies that hire them reimburse the City. Therefore, the City is responsible for their workers' compensation benefits. Mr. Smuts stated that when the City charges companies for extra duty they pay for pension contributions, but do they pay any added fee for workers' compensation. Mr. Pietrosimone stated yes. It is included in the charges.

The motion to approve the recommendation passed unanimously.

Attorney Piazza moved approval of Office Nos. L10-0157, L10-0158, L10-0159, L10-0160, L10-0161, and L10-0162. Mr. Pietrosimone seconded the motion.

Office Nos. L10-0157, L10-0158, L10-0159, L10-0160, L10-0161 and L10-0162 – 1423 Chapel Office Condominium Association v. City of New Haven – Attorney Kramer summarized the issues regarding this matter to the Committee Members.

Attorney Bolden explained that this is a condominium that the City took over by tax foreclosure. The City has made several attempts to sell it but has had difficulty. Attorney Piazza asked what the total settlement is. Attorney Bolden stated it is approximately \$30,000. Attorney Piazza asked what the attorney's fees are. Attorney Kramer stated that they are approximately \$1,500.00. Alderman Perez asked why the City let this get to this point. Attorney Bolden stated that he did not know the reason why. He has had numerous conversations with L.C.I. about trying to pay these in a timely manner. Alderman Perez asked if this could be discussed with Kelly Murphy, the Economic Development Administrator. Attorney Bolden stated that he will send a letter to Ms. Murphy regarding the discussion of this Committee. Mr. Smuts asked if the City is current with the 2008, 2009 and 2010. Attorney Kramer stated no. Attorney Piazza stated that this is costing the City money.

Attorney Piazza moved approval of Office No. L09-0181. Mr. Pietrosimone seconded the motion.

Office No. L09-0181 – Anna Craig v. City of New Haven - Attorney Wolak summarized the issues regarding this matter to the Committee Members. The Committee had no questions.

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.