

**MINUTES OF THE MEETING OF THE
LITIGATION SETTLEMENT COMMITTEE
Wednesday, July 29, 2009**

Committee Members Present: Mr. Lawrence Rusconi, Chairman; Alderman Jorge Perez; Alderman Allan Brison; and Mr. Mark Pietrosimone, Controller.

Corporation Counsel Staff Present: Victor Bolden, Corporation Counsel; Roderick Williams, Assistant Corporation Counsel; and Nancy Pepe, Legal Assistant II.

Outside Counsel: Rene Martineau, Esq.

CIRMA Care Representative: Mr. William O'Connell

**Workers' Compensation
Division Representative:** Mr. Daniel Roche

Meeting Started: 5:30 p.m.

Meeting Ended: 6:02 p.m.

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

Alderman Perez moved approval of the minutes of the July 15, 2009 meeting. Mr. Pietrosimone seconded the motion. Alderman Brison and Mr. Rusconi abstained because they were not present at the July 15, 2009 meeting. The motion passed.

Alderman Perez moved approval of the minutes of the July 22, 2009 emergency meeting. Mr. Pietrosimone seconded the motion. Alderman Brison and Mr. Rusconi abstained because they were not present at the July 22, 2009 emergency meeting. The motion passed.

Alderman Perez moved approval of Office Nos. 0930010987 and 090109511. Mr. Pietrosimone seconded the motion.

Office Nos. 0930010987 and 0930109511 - Benjamin Knight v. City of New Haven –

Mr. O'Connell summarized the issues of this matter to the Committee Members. Alderman Perez asked why the City would be obligated to pay the medical coverage if there are a number of years left for him to retire. Mr. O'Connell stated that he qualifies for benefits under the heart and hypertension Statute. Mr. Rusconi asked what would happen if this person has a stroke and/or dies. Mr. O'Connell explained that the City could be exposed to widow benefit or total disability, but then his family would have to be put on total medical coverage. Alderman Perez asked if the reason for this is because he qualifies for heart and hypertension Benefits. Mr. Roche Stated yes. He also explained that the workers' compensation Statutes state that if you are on Workers' Compensation, receiving a weekly check, the City has to give the claimant and his eligible dependants' medical benefits on the same level as if a person is an active employee. Alderman Perez asked if his wife has separate insurance. Mr. Roche stated

that she does and she is going to carry him going forward. Alderman Perez asked why she has to be added back on to the City's medical benefits, if she has her own insurance coverage. Mr. O'Connell stated that, if the City does not settle this claim, and he becomes eligible for weekly benefits because of a stroke, the wife and dependents are eligible for medical coverage by the City. Alderman Perez asked if the contract between the City and firefighters allows wives to be covered even if they have their own insurance. Mr. Roche stated yes. Mr. Pietrosimone stated that, once the City pays this settlement, that's it; he will not have retiree medical benefits. Mr. Roche stated that's correct. Mr. Pietrosimone asked how the payment would be made. Mr. Roche stated that one payment would be made this Fiscal Year and the other payment would be made next Fiscal Year.

The motion to approve the recommendation passed unanimously.

Alderman Perez moved approval of Office No. L07-0410. Alderman Brison seconded the motion.

Office No. L07-0410 – Youssef Fahmi v. City of New Haven – Attorney Williams summarized the issues of this matter to the Committee Members. The Committee had not questions.

The motion to approve the recommendation passed unanimously.

Alderman Perez moved approval of Office No. L03-0246. Alderman Brison seconded the motion.

Office No. L99-0190 – Eugene Gilbert v. City of New Haven – It was recommended by Corporation Counsel, Victor Bolden, that this matter be discussed in an Executive Session.

On the recommendation of the Corporation Counsel, Alderman Perez moved the Committee enter into an Executive Session to discuss Office No. L03-0246 with Attorney Bolden and Attorney Martineau. Mr. Pietrosimone seconded the Motion. The Motion passed unanimously.

The Committee entered into Executive Session at 5:42.

A motion was made to exit Executive Session. The motion was seconded and passed unanimously. The Committee exited Executive Session at 5:59

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.