

**MINUTES OF THE MEETING OF THE
LITIGATION SETTLEMENT COMMITTEE
Wednesday, May 6, 2009**

Committee Members Present: Mr. Robert Smuts, Acting 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.

CIRMA Care Representative: Michele Trapasso, Esq.
Mr. Joseph Salcito

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

Meeting Started: 5:34 p.m.

Meeting Ended: 5:48 p.m.

Mr. Smuts called the meeting to order at 5:34 p.m.

Alderman Perez moved approval of the minutes of the April 22, 2009, Mr. Pietrosimone seconded the motion. The motion passed.

Mr. Pietrosimone moved approval of Office No. 0019564. Alderman Perez seconded seconded the motion.

Office No. 0019564 – Larry Nelson v. City of New Haven – Attorney Trapasso summarized the issues regarding this matter to the Committee Members. The Committee had no questions.

The motion to approve the recommendation passed unanimously.

Mr. Pietrosimone moved approval of Office No. 0930007473. Alderman Brison seconded the motion.

Office No. 0930007473 – Deloris Skartsilas v. City of New Haven - Mr. Salcito summarized the issues regarding this matter to the Committee Members. Mr. Salcito also explained that this settlement will be a global settlement of all of this individual's claims and that there is an offset of her pension in which the City would take a dollar for dollar offset. Alderman Perez asked if Mr. Salcito thought the settlement was in part based on the offset of the pension. Mr. Salcito stated that he did. Mr. Roche stated that she also has retiree medical benefits through the City's retirement plan which probably also contributed to her attorney settling for this amount.

The motion to approve the recommendation passed unanimously.

Alderman Perez moved approval of Office No. L07-0118. Mr. Pietrosimone seconded the motion.

Office No. L07-0118 – Anthony Caprio v. City of New Haven - Attorney Williams summarized the issues regarding this matter to the Committee Members. Mr. Roach stated that there is a workers' compensation case relating to his disabilities incurred relating to this same incident which will be presented to this Committee in the future. The Committee Members had no questions.

The motion to approve the recommendation passed unanimously.

Alderman Perez moved approval of Office No. L04-0068. Mr. Pietrosimone seconded the motion.

Office No. L04-0068 – Daniel McDuffie v. City of New Haven – Attorney Williams summarized the issues regarding this matter to the Committee Members. Mr. Pietrosimone asked if there is an age in which the City could defend based on the fact that the child was not too young to know better. Attorney Williams explained that this individual was nine years old at the time of the incident. Perhaps, if this individual was older, the City might be able to make that defense. Mr. Pietrosimone asked if the bleachers were pushed in as they should be when they are not being used. Mr. Williams stated that they were in fact pushed in. Mr. Pietrosimone stated that the City did what it could to prevent such an injury. Attorney Bolden stated that it did, except for monitoring. Alderman Perez stated that this is not the first case against the City that involves monitoring children. He asked what could be done to prevent this. Attorney Bolden explained that this incident happened approximately seven years ago and the Office of the Corporation Counsel has spoken to the Board of Education about this. Attorney Williams explained that a couple of years after this incident, the Board of Education implemented a policy and children are no longer left alone in the gym.

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 5:48 p.m.