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News: New Haven Aldermen "Put on Notice" Thursday, November 15, 2007

Did a New Haven alderman ignore a legal opinion that would have barred him from running for re-election?

By Betsy Yagla

The watchdog group New Haven Citizens Action Network has pressed federal investigators for months on whether a politician's employment at the city Housing Authority violates the federal Hatch Act.

Did the Housing Authority know the answer all along? A letter shared by the group with the media last week suggests they did.

Westville Alderman Sergio Rodriguez, newly re-elected to a fourth term, was abruptly laid off from his job as community services manager at the Monterey Place housing project the day before Election Day, part of an apparent downsizing. Rodriguez became target numero uno for NHCAN, which persuaded the U.S. Office of Special Counsel to investigate Rodriguez for possible violations of the Hatch Act, a Depression-era law that prohibits people on the federal payroll from running in partisan elections.

Rodriguez was hired in July 2006 as a planning and construction officer and promoted in January to community services manager. Soon thereafter Housing Authority Executive Director Jimmy Miller asked legal counsel to rule on whether the alderman's job would prevent him from seeking re-election.

Housing Authority lawyer Rolan Young wrote on March 17 that HANH "employees are prohibited by the [Hatch] Act from being a candidate in such an election."

Young declined to discuss her legal opinion and Miller had not returned a telephone call by press time. Democratic Party Chair Susie Voigt says she was never told about the legal opinion. She learned about it from press reports, she says. "I'm the town chairman," Voigt says. "It's a volunteer job. Why would they call me? No one ever contacted me about this."

Rodriguez was out of state at a conference and could not be reached to comment.

NHCAN's Mona Berman says her group knew of Rodriguez's possible conflict of interest for a long time and started asking the feds to investigate as early as August, before Rodriguez won a primary and uncontested general election. "We took no action at first because we'd heard through the grapevine there were other positions being sought for him," says Berman. Nothing happened, and "before we knew it, it was primary time." So they sent an inquiry to the feds.

The group—sticklers for transparency in government—says it's now eyeing other aldermen who also appear to have conflicts of interest. NHCAN member Harry David says their inquiry into Rodriguez's job "is significant. It puts [other aldermen] on notice."

Several of New Haven's 30 alders are serving two masters—as elected officials they are sworn to represent their tax-paying constituents, but as municipal employees they serve the city and its sister agencies as well. Others have a spouse, sibling or parent employed by the city, which perhaps isn't all that unusual considering the size of the municipal work force.

And while the Hatch Act bars federal employees from running for election, there's no similar rule for city-affiliated employers like the Board of Education and the New Haven Parking Authority.

NHCAN isn't naming names yet, but a review of board members reveals several alders on the payroll of city-funded agencies:

Newhallville Alderman Charles Blango, assistant dropout and truancy prevention coordinator for the Board of Education, got a promotion and \$10,000 raise (from \$45,785 to \$55,412) in September. Blango was hired in 1995, and was elected alderman in 2001.

West Rock Alderwoman Michelle Edmonds-Sepulveda, drop-out prevention worker for the Board of Education, was hired full-time (she had been part-time) after winning her ward's primary in

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◀ Previous Article

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11/15/2007

News: New Haven Aldermen "Put on Notice"

Did a New Haven alderman ignore a legal opinion that would have barred him from running for re-election?
By Betsy Yagla
11/15/2007

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By Nick Keppler
11/15/2007

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By Christopher Arnott
11/15/2007

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11/14/2007

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11/08/2007



2005. Edmonds-Supulveda earns \$34,666. (Edmonds-Sepulveda's sister was hired in the '90s as a school teacher.)

Fair Haven Heights Alderman Gerald Antunes, director of security for the New Haven Parking Authority, is a retired city police captain hired for his current job in 2003 and elected alderman in 2005. Per his employment contract, Antunes got a four percent raise in December 2005 and a five percent raise in 2006, to \$56,784.

Newhallville Alderwoman Katrina Jones, parent liaison worker in the Board of Ed's adult education program, was hired in 2001 and elected in 2003. She earns \$26,913. Jones' mother is a part-time skilled worker for the school board, earning \$15 an hour.

Lobbyist Chris DePino, husband of Morris Cove Alderwoman Arlene DePino, has a \$50,000 lobbying contract with the city. (The couple is divorcing).

West River Alderman Yusuf Shah's wife, Crystal, is a secretary for the Board of Education. She was hired in 2004. Shah was elected in 2001.

"I think almost anyone who runs for the board and is on it, unless they don't work outside the home, is going to find there are situations appropriate where they should recuse themselves," says Voigt. Board of Education employees regularly recuse themselves from voting on education matters. But, she adds, "I'm always concerned when we try to limit who can serve in government."

Instead of limiting who can run for alderman, says Voigt, "I think we need appropriate ethical standards and ways of disclosure." Aldermen do disclose this type of information on official city forms and everything collected for this article was properly disclosed.

Hill Alderman Jorge Perez is pushing a new code of ethics for public officials but it doesn't touch on this issue. Perez says he can see NHCAN's point-of-view about Rodriguez. "You don't want to discourage people from participating in government, but there's a price to pay for transparency," Perez says.

Still, NHCAN doesn't like the appearance of a conflict of interest when it comes to who's voting on the budget and city pay raises. "We will be looking at others," promises NHCAN member Gary Doyens.

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