

# HERALD NEWS

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Friday, June 9, 2006

An edition of The Record



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## PATERSON 'Footsy' case costly

City may settle  
harassment suit

By TOM MEAGHER  
Herald News

A one-sided alleged game of footsy cost a longtime city attorney his job and may cost city taxpayers six figures to settle the resulting sexual harassment complaint.

In a closed-door meeting of the City Council Wednesday night, leaders discussed paying secretary Lisa Alston to settle her federal discrimination complaint which maintains that former city attorney Gary D. Gordon sexually harassed her during a public meeting.

Alston, who serves as secretary to Council President Kenneth M. Morris Jr., alleged that Gordon removed his shoes during a meeting in order to run his

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# Paterson: Complaint alleges harassment

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feet up and down her leg under the council table.

Gordon, who began working as an assistant corporation counsel for the city in 1993, was terminated from his part-time job in February, one day after the city received a federal report substantiating Alston's complaint against him, said Business Administrator Eli Burgos. Gordon was paid \$27,659 in 2004, according to city payroll records. He is a partner in the law firm Feinstein, Raiss, Kelin & Booker, LLC of West Orange.

Neither Gordon nor Alston returned calls for comment at their homes and offices.

Mayor Jose "Joey" Torres and a pair of city attorneys explained Wednesday night the substance of Alston's complaint to the council, according to multiple sources who spoke on condition they be granted anonymity.

The complaint alleged that during a council work session last year where Gordon served as the council's attorney, he removed his shoes and stroked Alston's leg with his foot.

Later, Alston filed a formal discrimination complaint with the federal Equal Employment Opportunity Commission. The commission, in turn, investigated her complaint and questioned some of those who attended the meeting.

The commission issued a report of its findings to the city and recommended a settlement of Alston's grievances.

"It's up to EEOC to make a finding based on the testimony given on all sides, and they come up with a recommendation," Morris said in an interview Thursday. The city then must decide whether or not to follow the commission's advice.

Morris, who attended the meeting where the alleged incident occurred, said Thursday that because of where he sat, he could not see under the table and did not see anything inappropriate. Wednesday night, Morris recused himself from the meeting in case he might one day be called to testify on the matter.

Sources said the administration, attorneys and the mayor told the council they worried that the city might be held liable in the incident and recommended that Alston be given the substantial monetary settlement.

The presenters made it clear to the council that Gordon was at fault in the incident. Several council members were upset and outraged at the behavior attributed to Gordon, sources said.

Also at issue in the EEOC's report was the nature of some doodling Morris was doing during the work session and whether it lampooned Gordon's actions.

City attorneys will negotiate with Alston to arrange a schedule of payments for the settlement. Any payment would have to be approved by the council. Should the city ultimately decide not to settle, the commission or Alston can file a lawsuit against the city.