

EAST HAVEN POLICE COMMISSION REGULAR MEETING

The East Haven Police Commission held its Regularly Scheduled Meeting August 27, 2013, at 7:00 p.m. at the East Haven Community Center, 91 Taylor Avenue, East Haven, CT in order to transact the following:

Chairman Crisci called the meeting to order at 7:01 p.m.

1. **Roll Call:** 5 Present
Joseph Civitello Present
William Illingworth Present
Paul Constantinople Present
Jose Velazquez Present
Louis Crisci, Esq. Present

Staff Present:

Town Labor Attorney, Frank Kolb
Police Chief Brent Larrabee (Arrived at 7:20 p.m.)
Lieutenant Ed Lennon

Union Present:

Robert Ranfone, President of East Haven Police Local 1662
Robert Nappe, Vice-President of East Haven Police Local 1662

2. Pledge of Allegiance
3. Moment of Silence for all the fallen officers.
4. Commissioner Illingworth moved to accept the minutes of June 25, 2013, Regular Police Commission Meeting.
Commissioner Constantinople seconds the motion.
Voice vote- all in favor. None opposed. No abstentions.
Motion carried unanimously.
Approved
5. Commissioner Illingworth moved to accept the minutes of July 25, 2013, Special Meeting of the Police Commission.
Commissioner Constantinople seconds the motion.
Voice vote- all in favor. None opposed. No abstentions.
Motion carried unanimously.
Approved
6. Public Comment: None
7. Correspondence read by the Acting Clerk into the record. A letter from former Officer Carlos Roman addressing his resignation from the Police Department.

Chairman Crisci called for a recess at 7:07 p.m. to await Chief Larrabee's arrival from a concurrent meeting.

Chairman Crisci called the meeting back to order at 7:20 p.m.

8. Chief Larrabee addressed the personnel matter as follows: Currently, he has 39 active officers out of the 53 positions allocated, with the 50 on the books working. The Inspector's and a sergeant's positions are unfunded, 4 are out long term injured, 1 suspension, 5 in training and 1 vacancy. He just transferred \$251,000 to cover the overtime for last fiscal year; the officers are working 6 to 7 days a week 16 hour shifts.

Commissioner Civitello asked if the overtime cost will exceed last year's.

Chief Larrabee indicated last year the cost was \$850,000; with offsets we used \$650,000. He expects that it will exceed a million dollars this year, but there will be offsets.

Commissioner Constantinople asked if the list of candidates will be reopened.

Chief Larrabee indicated that the Police Commission call for list to hire one to two more recruits depending on vacancies open at the time of the next meeting. He will send a letter to Civil Service requesting the names.

Commissioner Civitello stated that he understands there is another officer talking about leaving.

Chief Larrabee indicated that he spoke to that officer during a recent training session and he is not leaving.

Union negotiations are still ongoing and we have not met since the Police Commission meeting.

9. Old Business:

- a. Grievance 2013-07

Chairman Crisci acknowledged Detective Ranfone who then addressed the commission. Detective Ranfone stated that we all agreed that Officer Torello would stay in the position of liaison to the Juvenile Review Board until September 2013. There has not been good faith in calling for a list for Youth Detective from Civil Service, this takes weeks not months.

Chief Larrabee stated that a Youth Detective does not have to be the liaison to the Juvenile Review Board.

Detective Ranfone stated that the Youth Detective and Liaison to the Juvenile Review Board go hand in hand. Detective Ranfone stated that the grievance is his leverage to have the Youth Detective position filled and is not going to withdraw it.

Chairman Crisci stated that it certainly does make sense, but it does not have to be that way and it was not addressed in the grievance.

Chief Larrabee stated that he has the right of assignment and in May of 2011, the Juvenile Review Board was re-written under then Chief Nappi by general order. The union had a chance to address it at that time the way it was proposed, they did not.

Detective Ranfone stated that there is language in the Town Charter that supersedes the Chief's decisions on temporary assignments. Detective Ranfone corrected himself and stated it is a State Statute.

Attorney Kolb indicate that he would not find that wording in the Town Charter.

Chairman Crisci indicated after reading the Statute that it does not apply.

Chief Larrabee stated that patrol overtime would be negatively impacted by replacing the Youth Detective; he would prefer to utilize a Regular Detective while staffing is still low.

Commissioner Civitello stated that he does not support using a Regular Detective. The Youth Detective would be much more dedicated. I don't see why we should be different; it effectively protects the people who live in town.

Chief Larrabee noted that if you are looking at the revised date, it says nothing about the Juvenile Review Board Liaison having to be the Youth Detective

Detective Ranfone stated, I don't believe I signed that copy of the order. We are talking about 20 years of past practice.

Commissioner Civitello asked if it could be any patrol officer.

Detective Ranfone stated it has always been detective work.

Chief Larrabee stated the description changed and the union made no comment with the use of an officer in May 2011.

Detective Ranfone asked the commission; why would the Chief have a sidebar with me to make an agreement with the use of Officer Torello until September.

Commissioner Constantinople asked if Branford and the abutting towns use the Youth Detective as the Liaison.

Detective Ranfone indicated "yes."

Chairman Crisci asked for comments from the Board. There were no comments. Chairman indicated that this will now go to Step 3.

b. Grievance 2013-06

Detective Ranfone stated that an off duty Sergeant was passed over for an investigative assignment which violates the SOP since it was not an emergency.

Chairman Crisci indicated that this is strange to have this officer made whole.

Detective Ranfone indicated that the Chief instructed Sgt. Mulhern to hire extra duty and there is a pecking order.

Commissioner Constantinople asked if it was a whole day's pay.

Detective Ranfone indicated, 5 hours OT.

Chief Larrabee stated he instructed the Sergeant to get extra bodies and go take care of an investigation.

Detective Ranfone stated that he was working straight time and he could have been assigned.

Chairman Crisci asked if there is a provision in the contract that applies to this situation.

Detective Ranfone stated it is a specialized field and I was in service.

Chairman Crisci stated that you are citing something that does not apply in the contract.

Commissioner Illingworth stated that he generally sides with the union to be the lead but tying the hands of the supervisor could harm public safety. I believe the Chief makes the decision in that particular case.

Officer Nappe agreed with both parties but it was just for extra bodies by SOP, equal as possible.

Commissioner Illingworth stated in this specific case the Chief assigned the Sergeant and briefed the team. He moved to deny this grievance.

Commissioner Velazquez seconds the motion.

Roll call vote – 3 Members in favor (Illingworth, Velazquez, and Constantinople). 1

Member Opposed (Civitello). No abstentions.

Motion carried.

Denied

Commissioner Constantinople made a statement that this department is in need of 4 more detective jobs to get the department properly staffed.

Officer Nappe stated that until there is more money and manpower, we still operate with the regular 52 officers. The same 4 sector cars that we had in 1964 we now have in 2013, four guys on the road.

c. Bicycle Safety

Commissioner Civitello stated that he spoke to Councilman Santino with regard to all the young people on bicycles in the center of town and he said he would get back to the Commission.

10. New Business

a. Grievance 2013-07

Chief Larrabee and Detective Ranfone commented that the State Labor Agent requested a cooling off period until the end of September.

Commissioner Illingworth moved to table Grievance 2013-01.

Commissioner Velazquez seconds the motion.

Voice vote- all in favor. None opposed. No abstentions.

b. Hudson Street Petition regarding street hockey.

Chief Larrabee stated this was taken care of at a Code Enforcement Meeting. We have beefed up patrol and the town is working on having the lights turn off an hour earlier.

To date, we have not heard anything additional from the petitioners.

c. New Policies

Chief Larrabee stated these are driven by the DOJ Consent Decree and Lieutenant Lennon is the final author of the Code of Conduct and most of the other policies. The

Lieutenant worked with the experts and town attorney and we have a conference call every two weeks with the DOJ and the JCE staff regarding our progress.

1. Commissioner Illingworth moved to adopt the Code of Conduct Policy (201.1) issued September 3, 2013 and effective September 30, 2013.

Commissioner Constantinople seconds the motion.

Voice vote- all in favor. None opposed. No abstentions.

Motion carried unanimously.

Approved

2. Commissioner Illingworth moved to adopt Language Assistance Policy (301.1) issued September 3, 2013 and effective September 30, 2013.

Commissioner Constantinople seconds the motion.

Voice vote- all in favor. None opposed. No abstentions.

Motion carried unanimously.

Approved

3. Commissioner Illingworth moved to adopt the AVL, MVR, and ECW Use and Operation Policy (401.1) issued September 3, 2013 and effective September 30, 2013.

Commissioner Constantinople seconds the motion.

Voice vote- all in favor. None opposed. No abstentions.

Motion carried unanimously.

Approved

Commissioner Illingworth asked how many cars are equipped with video cameras.

Chief Larrabee stated all the regular marked patrol vehicles, 19 vehicles are equipped.

Commissioner Illingworth moved to adjourn.

Commissioner Civitello seconds the motion.

Voice vote- all in favor. None opposed. No abstentions.

Meeting adjourned at 8:16 p.m.

Respectfully submitted,

Roberta A. DeLuca
Acting Clerk