

HONORABLE BOARD OF POLICE COMMISSION
REGULAR MONTHLY MEETING
MAY 28, 2013
EAST HAVEN SENIOR CENTER, 91 TAYLOR AVENUE, EAST HAVEN, CT.

1. Roll Call
2. Pledge of Allegiance

COMMISSIONERS PRESENT: Chairman Lou Crisci, Vice-chairman Jose Velazquez, Commissioner Paul Constantinople and Commissioner Joseph Civitello.

ALSO PRESENT: Chief Brent Larrabee, Deputy Chief John Mannion, Police Union Local 1662 President Robert Ranfone, Attorney Joseph Zullo, Labor Attorney Frank Kolb, Attorney Frank Riccio, Police Union Attorney Kelly Rommel, Officer Dennis Spaulding and citizens.

3. To consider and act upon the approval of the minutes of the regular meeting of April 30, 2013.

A motion was made by Vice-President Velazquez to accept the minutes of April 30, 2013 as received, seconded by Commissioner Constantinople. All in favor. Motion carried.

4. To consider and act upon the monthly reports for May 2013.

A motion was made by Commissioner Constantinople to accept the Monthly Reports for May 2013, seconded by Vice-Chairman Velazquez. All in favor. Motion carried

5. PUBLIC COMMENT

Mr. Dan McCann, 137 Mansfield Grove Road, East Haven: Read a letter to the board (attached to minutes) asking the board not to stop paying Officer Dennis Spaulding who is out on Administrative Leave with pay. He felt that it was pre-emptive and pre-judging a defendant who has yet to have his day in court.

John Sullo, Borrmann Road: Addressed the board and stated he felt that he is being profiled and harassed by the department. He mentioned the police taking vehicles off his property.

Chairman Crisci stated that Mr. Sullo was welcome to speak under public comment but that he must follow procedure with a complaint form.

6. COMMITTEE REPORTS: None

7. CORRESPONDENCE RECEIVED/SENT

- a. Joseph Polio: Re: Signs on Maplevale Road
- b. Frank Piergrossi: Resigning from the Board 5/3/13
- c. Virginia Williams: Retiring from E.H.P.D.

Chairman Crisci stated to Mrs. Williams that she will be clearly missed and that she has always done a wonderful job.

Chairman Crisci also commented on the retirement of Commissioner Piergrossi from the board. He commented that Commissioner Piergrossi was always committed to the town, was a wonderful person who did a great job. He will also be missed.

8. OLD BUSINESS

Chief Larrabee reported to the board that there are two officers out on long term injury; Officer Franshesca Ojeda will be graduating from the academy on June 24th. and two officers are in the 3rd. phase of field training.

Commissioner Civitello questioned the No Parking Sign that was erected on Williams Street, asked why it was there, and that it would have been nice to have the board o.k. the sign and not look like the bad guys.

The Chief responded that the sign was up.

9. NEW BUSINESS

- 1. To consider and act upon the retirement of Virginia Williams to become effective on June 14, 2013.

A motion was made by Commissioner Civitello to accept the retirement of Virginia Williams to become effective on June 14, 2013, seconded by Commissioner Constantinople. All in favor. Motion carried.

2. To consider and act upon Grievance No 2013-05 Police Union Local 1662.

Union President Robert Ranfone suggested that the board table this item because they were in the process of researching it.

Discussion followed between the Chief and Detective Ranfone regarding the East Haven Juvenile Review Board and parts of the Detective/Youth Detective job description. The Chief stated that there was one job description for detective whether you were a detective or youth detective. He continued that we have 5 functioning detectives who can handle this. It's a red herring that doesn't exist. He felt that regarding this particular grievance that the union was bargaining in bad faith.

Detective Ranfone commented that page 4 was self explanatory and that this assignment in the past was handled by the Youth Detective with specific language covering the Juvenile Review board.

Commissioner Civitello asked the Chief if he was planning to fill this position. The Chief stated "not at the present time"

Commissioner Civitello stated that the issue here is if this position was going to be filled and maybe everyone is ahead of themselves.

Discussion continued back and forth regarding this Grievance.

A motion was made by Commissioner Constantinople to table Grievance 2013-05, seconded by Commissioner Civitello. All in favor. Motion carried.

3. To consider and act upon the changing of Officer Spaulding's status with the department from paid administrative leave to unpaid suspension, because the conditions of his release on bail due to a Federal Indictment and subsequent arrest to prevent him from returning to full duty as a Police Officer.

A motion was made to go into Executive Session by Commissioner Civitello, with the Chief, Officer Spaulding, Attorney Frank Riccio Jr., Labor Attorney Frank Kolb and police union Attorney Kelly Rommel. Seconded by Commissioner Constantinople. All in favor. Time: 7:33 p.m.

Before entering Executive Session, Attorney Kolb suggested that for a variety of reasons that Commissioner Civitello sit out of the executive session, saying he believes that he has been asked by the federal government to be a witness in the future.

Commissioner Civitello stated that he has not been contacted by the federal government and that he would not recuse himself.

Attorney Riccio commented that he wanted no appearance of impropriety.

Attorney Kolb stated that he wanted to err on the side of caution, that Commissioner Civitello who may be a witness or one who has been a victim. Attorney Kolb stated that he wanted to cover himself.

Commissioner Civitello responded to Attorney Kolb "how do you know how I will vote"?

Chairman Crisci commented that he could not order Commissioner Civitello out of Executive Session.

Commissioner Civitello made a motion to come out of executive session, seconded by Commissioner Constantinople. All in favor. Time: 7:34 p.m.

A motion was made by Vice-Chairman Velazquez to go into executive session with the Commissioners, the Chief, Officer Spaulding, Attorney Frank Riccio Jr., Labor attorney Frank Kolb and police union Attorney Kelly Rommel, seconded by Commissioner Constantinople. All in favor. Time 7:36 p.m.

A motion was made by Vice-Chairman Velazquez to come out of Executive Session, seconded by Commissioner Constantinople. Time: 8:03 p.m.

Chairman Crisci commented that regarding Officer Spaulding that they were presented with an agreement by the Town, Union and Officer Spaulding as follows:

TOWN OF EAST HAVEN 5/28/13

AND

EAST HAVEN POLICE UNION LOCAL 1662

DENNIS SPAULDING

Parties Agree:

- 1. Dennis Spaulding's status with the East Haven Police Department as of 5/29/13 shall be that of unpaid suspension. All benefits shall continue to accrue.**
- 2. Parties agree that this agreement is not subject to an M.P.P or Grievance and a M.P.P currently pending concerning this matter shall be withdrawn with prejudice.**

The unpaid suspension shall continue until the final resolution of his criminal arrest.

Current medical insurance or as may be modified by a new contract shall continue.

He shall be entitled to receive all payout benefits as he may be entitled to pursuant to the CBA and law in accordance with the law.

If he is exonerated he will be made whole in accordance with law.

Signed by: Frank Kolb, Jr. Dennis Spaulding, Kelly Rommel, Frank Riccio, Jr.

Approved by the East Haven Board of Police Commission 5/28/13, Louis A. Crisci, Chairman

A motion was made by Commissioner Constantinople to accept this agreement, seconded by Commissioner Civitello:

Roll Call Vote: Chairman Crisci: Yes

Vice-Chairman Velazquez: Yes

Commissioner Civitello: Yes

Commissioner Constantinople: Yes

Motion passed: all in favor.

Attorney Zullo stated he had no comment on whether the agreement should be approved or not, but indicated that he wanted to be able to explain the agreement to the administration and wanted clarification on what "final resolution" of the criminal matter meant.

Attorney's Kolb and Riccio answered that the final resolution was when all appeals had been exhausted.

A motion was made to adjourn meeting by Vice-Chairman Velazquez, seconded by Commissioner Constantinople. All in favor.

Chairman Crisci adjourned meeting at 8:09 p.m.

Respectfully Submitted, Virginia Williams Secretary

This will be the last time I will be taking minutes for the Board. It has been my pleasure and a privilege to have made the acquaintance of many of the board members over the years. I carry wonderful memories with me as I leave. Bless You All.