

**HONORABLE BOARD OF POLICE COMMISSION
SPECIAL MEETING**

APRIL 22, 2014

EAST HAVEN POLICE DEPARTMENT
471 NORTH HIGH STREET, EAST HAVEN, CT

COMMISSIONERS PRESENT: Chairman William Illingworth, Vice Chairman Paul Constantinople, Commissioner Joseph DiSilvestro, Commissioner Dawne Flynn, Commissioner Eduardo Torrealba

ALSO PRESENT: Chief Brent Larrabee, Lieutenant Edward Lennon, Union Local 1662 President Officer Robert Nappe, Union Local 1662 Vice President Detective Benjamin DeCrosta, Union Local 1662 Member at Large Sergeant Patrick Tracy, Officer Shirley Conyers, Officer Vincent Ferrara, Attorney Frank Kolb, Jenna Lennon, Daniel McCann

Meeting called to order at 7:00 PM by Chairman Illingworth.

1. Roll Call
2. Pledge of Allegiance
3. Moment of Silence
4. Announcements

Commissioner Torrealba commented that he was concerned and offended by the behavior of certain participants and members of the public in the meetings he has attended. He did not think it was necessary and respectfully requested that the Chairman remind all attendees that there has to be proper decorum; we are all adults with good command of the English language and we should be able to express ourselves without the use of foul language. Chairman Illingworth thanked him for his comments and expressed his agreement.

5. To consider and act upon the approval of the minutes of Regular Monthly Meeting of March 25, 2014

Commissioner Torrealba stated that on agenda item 11.b., a motion to grant grievant two (2) days paid administrative leave, he abstained. Miss Maldonado will review the meeting recordings and will make a revision to that affect as a matter of record, if indicated.

A motion was made by Commissioner DiSilvestro to accept the minutes of March 25, 2014 as received; seconded by Vice Chairman Constantinople. All in favor. No one opposed or abstained. Motion carried unanimously.

[At a later date, upon review of the meeting recordings by Miss Maldonado, there was no indication of an abstention by Commission Torrealba. The minutes stand as accepted.]

6. To consider and act upon the approval of the monthly reports

A motion was made by Vice Chairman Constantinople to accept the monthly reports as received; seconded by Commissioner DiSilvestro. All in favor. No one opposed or abstained. Motion carried unanimously.

7. Public Comment

Before allowing for public comment, Chairman Illingworth reiterated Commissioner Torrealba's comments about behavior during meetings. His expectation is that everyone will conduct themselves in a decent, ethical and morally acceptable manner – which means no foul language, no unruly behavior, no speaking out of turn without being recognized by the Chair or asked a question by a fellow Commissioner. Meetings will be conducted with a certain level of decorum and if those rules are not adhered to, he will ask the offenders to leave the meeting. He would like to keep meetings as open as possible without distraction.

Officer Robert Nappe, Union Local 1662 President – questioned the format of the agenda for the Special Meeting based on the Standing Rules. Chairman Illingworth clarified that because the Regular Meeting was cancelled, and he wanted to have a meeting in its place, this meeting was called a Special Meeting with the same agenda as a Regular Meeting. There was still some debate about the logistics.

Officer Nappe requested comment pertaining to the correspondence submitted by the Union on behalf of Detective Danielle Germe. Chairman Illingworth stated that it can be addressed under Old Business.

On behalf of Union Local 1662, Officer Nappe would like to express “their pleasure with the appointment [and consideration] of Lieutenant Lennon to Deputy Chief. We think he'll be a good fit for that position. He cares about this Department. He has certainly paid his dues to get there and we're very happy with the Commission's decision if they decide to go that way.”

Daniel McCann (137 Mansfield Grove Road) – asked the Board about the status of the current Deputy Chief. Chairman Illingworth deferred to Chief Larrabee who stated that Deputy Chief Mannion is still on active duty until May 2, 2014. If the Commission confirms the nomination of Edward Lennon, his appointment would begin May 3, 2014. Mr. McCann further questioned the Deputy's recent time off – was it a vacation or was he out for other reasons? Chief Larrabee stated that there is no underlying suspicion or suspense – the Deputy was on a vacation that he had planned for over two years – a trip of a lifetime. He traveled to New Zealand for four weeks where he met up with an old friend that he met while a state trooper attending Northwestern Traffic Institute, who is now a retired Senior Official of the New Zealand Police; they have maintained their friendship since the late 70s. He then took two weeks to go to Tahiti. He is currently out of state with family. Mr. McCann further questioned the amount of vacation time afforded the Deputy under his contract only having been with the Department for a short time. Chief Larrabee stated that in the almost four years the Deputy has been with the Department, he has not used any of his vacation (20 vacation days per year), and likely has four to five more weeks left. The Chief further commented that he and the Deputy are not governed by the same rules as Union employees – the Town ordinance allows them some latitude in how they use their time and they can carry it forward. Deputy Chief John Mannion has taken very little time off and his recent vacations just happen to coincide with his decision to leave the Department.

Mr. McCann also thinks it is a good thing for the public to have Ed Lennon as the next Deputy Chief.

8. Correspondence Received/Sent

The following correspondence was distributed to the Board in advance of the meeting for their review and consideration:

- a. Letter of departure from Deputy Chief John Mannion
- b. Recommendation letters from Chief Brent Larrabee and Mayor Joseph Maturo, Jr. (which will be addressed herein as agenda item 11.b.)
- c. Police Union Local 1662 on behalf of Detective Danielle Germe (which will be addressed herein as agenda item 10.a.)

9. Personnel Matters

- a. Injured Employees
- b. Overtime
- c. Contract Negotiations – General Status Update

Again, Chief Larrabee reported that there is one officer out on long term injury. Sick time has not been an issue.

Overtime continues to be a problem due to a shortage of officers. As explained to the Board of Finance and the Town Council, the Department currently has 33 patrolmen: 12 are in training, three cannot be utilized for overtime, and one is on long term injury leave; therefore, 16 of 33 do not count toward overtime. Overtime was reduced to a somewhat reasonable level but has increased again to accommodate trainings and vacation. The Chief plans to speak with the Mayor to request vacation carry-over into the next fiscal year for those with a significant amount of vacation time left in an attempt to mitigate the overtime. Discussions with the Union will follow.

Contract negotiations have somewhat stalled due to scheduling and are expected to resume in May.

10. Old Business

- a. Union Local 1662 on behalf of Detective Germe Request for Sick Leave

Chairman Illingworth read correspondence received from Police Union Local 1662 submitted on behalf of Detective Danielle Germe.

Chairman Illingworth asked about how much sick time Detective Germe has used and how much she has left. Union President Nappe stated that she has no more sick leave. Chief Larrabee clarified that Detective Germe's last day of work was September 12, 2013 and she has exhausted all resources – donated sick leave, family medical leave, paid administrative leave – that carried her through February 9, 2014. Approximately six months of leave.

Chairman Illingworth stated that although he can appreciate the dire situation, there comes a point when tax payers can no longer entertain any more funds towards sick leave.

Chief Larrabee interjected that based on the conversation heard in the special meeting of April 15, he and Attorney Kolb have sent

correspondence to Danielle Germe asking her anticipated return to duty date and under what qualifications. Attorney Kolb commented that a copy of the letter was also sent to Union Attorney Rommel. To date, there has been no response from either party. The Chief feels to make a decision at this time would be premature.

Officer Nappe would like to defer to Union counsel and has withdrawn the request for sick leave.

11. New Business

a. Approval of Policy 215.1

Lieutenant Lennon presented Policy 215.1 to the Board for approval. The issue date will be April 28, 2014 and the effective date will be June 15, 2014. A motion was made by Vice Chairman Constantinople to accept the policy as received; seconded by Commissioner Torrealba. All in favor. No one opposed or abstained. Motion carried.

b. CHRO Complaint by Detective Germe

A motion was made by Commissioner DiSilvestro to go in to executive session to discuss pending litigation with the Board, Attorney Kolb, Union President, Chief and Lieutenant Lennon. All in favor. Motion carried. Executive session commenced at 7:26 PM.

A motion was made by Commissioner Torrealba to conclude executive session; seconded by Commissioner DiSilvestro. All in favor. Motion carried. Public session resumed at 7:28 PM.

c. Interview and consideration of Lieutenant Edward Lennon, Jr. for promotion to Deputy Chief of Police

Miss Maldonado read recommendation letters from Chief Brent Larrabee and Mayor Joseph Maturo, Jr. in support of the promotion of Lieutenant Edward Lennon, Jr. to the position of Deputy Chief of Police.

Chairman Illingworth called for a motion to go in to executive session to conduct the interview of Lieutenant Lennon. Chief Larrabee asked to exercise his personal privilege to interview Lieutenant Lennon in public session given the extraordinary nature of this promotion. Chairman Illingworth deferred to Lieutenant Lennon who agreed to be interviewed in public session.

Lieutenant Lennon introduced Jenna Lennon as his wife to the Board.

Also in attendance and recognized by the Board: Union Local 1662 Member at Large Sergeant Patrick Tracy, Union Local 1662 Vice President Detective Paul DeCrosta and Union Local 1662 President Officer Robert Nappe.

Vice Chairman Constantinople asked Lieutenant Lennon what he planned to do if he were promoted to the Deputy Chief position, would he aspire to become Chief someday? Lieutenant Lennon commented that given the opportunity in the future, he would definitely pursue the position of Chief. He further stated that this Department is "home." He has risen through the ranks and has seen this Department in some of its greatest moments and some of its darkest days, and he has seen them rise above. Lieutenant Lennon, through his leadership, plans to 'hit the ground running' to continue his growth in the Department using a hands-on approach to see the Department be better than it ever could be. He holds himself to the highest standard and will work tirelessly to make positive strides for the men and women of the Department.

Chief Larrabee commented that he and Mayor Maturo interviewed Lieutenant Lennon at length prior to this meeting. Mayor Maturo expressed grave concern about allegations made by Federal agencies about systemic problems within the Department. His concern – and this has been a debate for some time – was about an internal candidate versus an external candidate; if this alleged systemic problem was as such, how could he promote from within to any rank let alone to the rank of Deputy Chief? The Mayor was 100% on point. Chief Larrabee had to convince him that there is not systemic problem. As we have all learned over the painful last two years, the situation is isolated and hopefully ended, and that many of the men and women of the Department were untouched by the controversy. During that lengthy interview, Ed assured the Mayor that he had no knowledge or participation in the alleged complaints. The Chief went on to say that this promotion is a remarkable feat especially "for a Department that is supposed to be so embattled and so bad, it is pretty damn good." Ed is evidence of what they have here. His promotion will boost morale and resonate positively through the Department, making it clear that "things are not the way they used to be and we are going to be as good, or better than most,

and they have gotten there fairly quickly.” Chairman Illingworth concurred.

Commissioner Torrealba, as a resident of East Haven and new to the Board, has been following the controversy regarding the Department and “is very happy that the promotion is from within, and that we can show the public that this is a good Department and that they are moving forward. Congratulations.”

Commissioner DiSilvestro commented that while attending the recent DOJ training, he was very impressed by the amount of work that had been done. “Knowing that there was a long conversation between the Chief, yourself and the Mayor, and it is not a suggestion they make lightly in light of what has been happening in the Town and the strides that have been made to right the ship so to speak, I was very impressed. Officer Nappe says the Union is behind you, Mr. McCann says that the public is behind you...while the letters were being read, Detective was nodding his head in agreement with everything. I, too, am new to this Board and you have been at every meeting, you have been more than helpful, you answer questions, you make yourself available – you were here on a Saturday morning. As the compliance liaison, you have gone above and beyond, and I think based upon your work ethic and what everybody has said, that you will continue to do so as Deputy Chief and I congratulate you on the promotion that has been extended to you.”

Chairman Illingworth commented that he has known Ed Lennon since 2002. During his time with the Board, he has watch Ed grow and particularly appreciates his calmness and his slight sense of humor – he has a way about him to bring out the best in people and be calming in a difficult situation. “The task that is before us is a daunting task and will probably command a good deal of your time. I know that your devotion to your family is an important thing to you and I can appreciate your dedication to the Town. I want to go along with the Mayor, the Chief, the Board and the Union, I wholeheartedly support this recommendation. I think this is a good move for the Town and the Department.”

Chairmain Illingworth called for a motion. A motion was made by Vice Chairman Constantinople to promote Lieutenant Lennon to Deputy Chief of the East Haven Police Department effective May 3, 2014 and pending the resolution of a contract; seconded by

Commissioner Torrealba. All in favor. No one opposed or abstained. Motion carried unanimously.

The swearing in ceremony will be May 8 at 12:00 PM; location to be determined.

d. Request Lieutenant list from Civil Service

A motion was made by Commissioner DiSilvestro to request a Lieutenant list from Civil Service; seconded by Vice Chairman Constantinople. All in favor. Motion carried.

Chief Larrabee commented that there is a Lieutenant vacancy due to the promotion of Lieutenant Lennon. Currently, there is only one person on the list so the suggestion would be to make that promotion upon receipt of the list. There may be another Lieutenant vacancy in August due to retirement which will prompt the request for a new Lieutenant's test.

All in favor. Motion carried unanimously.

e. Request an extension of Police Officer – Grade C recruit list from Civil Service

Chief Larrabee stated that the current list expires June 10, 2014 and he does not believe an extension is an option per the Town Attorneys. Chairman Illingworth thought an extension of one year had been granted in the past. The Chief will withdraw the request until he receives clarification from counsel. A motion was made by Commissioner DiSilvestro to table this issue; seconded by Commissioner Torrealba. All in favor. No one opposed or abstained. Motion carried.

A motion was made by Commissioner DiSilvestro to adjourn; seconded by Commissioner Torrealba. All in favor. No one opposed. Motion carried.

Chairman Illingworth adjourned the meeting at 7:52 PM.

Respectfully submitted,

Marsha M. Maldonado
Clerk to the Honorable Board of Police Commissioners