

HONORABLE BOARD OF POLICE COMMISSION
SPECIAL MEETING MINUTES
NOVEMBER 1, 2012
EAST HAVEN SENIOR CENTER 91 TAYLOR AVENUE, EAST HAVEN, CT.

1. Roll Call:
2. Pledge of Allegiance/Moment of Silence

COMMISSIONERS PRESENT: Chairman Joseph Civitello, Vice-Chairman Carl Perez, Commissioner Frank Piergrossi and Commissioner Louis Crisci. (Commissioner Velazquez was absent)

Also Present: Chief Brent Larrabee, Attorney Joseph Zullo, Attorney Lawrence Sgrignari and citizens.

3. To consider and act upon the approval of minutes from the September 20, 2012 Special Meeting.

A motion was made by Commissioner Crisci to accept the minutes of the Special Meeting of September 20, 2012, seconded by Vice-Chairman Perez. All in favor. Motion carried.

4. To consider and act upon the approval of minutes of the Regular Monthly Meeting, September 25, 2012.

A motion was made by Commissioner Piergrossi to accept the minutes of the Regular Meeting of September 25, 2012, seconded by Commissioner Crisci. All in favor. Motion carried.

5. To consider and act upon the approval of the minutes of the Special Meeting of October 11, 2012.

A motion was made by Vice-Chairman Perez to accept the minutes of the Special Meeting of October 11, 2012, seconded by Commissioner Piergrossi. All in favor. Motion carried.

6. To consider and act upon the approval and acceptance of the October 2012 Monthly Reports.

A motion was made by Commissioner Crisci to accept Monthly Reports for October 2012, as received, seconded by Vice-Chairman Perez. All in favor. Motion carried.

7. PUBLIC COMMENT

Gene Ruocco: Addressed the board and commented that the Mayor at a press release mentioned the consent decree. He felt it was unfortunate that it came to our town and the police department. He asked why there were no workshops on the 54 page decree. It would be a lot for the board to digest. He also questioned how long they would be here and if we have to borrow money. He felt we should be able to estimate what this is going to cost the taxpayers in town. He also asked if the Police Union was null and void now. He asked that all this information be carried to the administration and felt that the people in the Town of East Haven be given a ball park figure on what it will cost.

Fred Brow: Addressed the board and stated that this 54 page decree was not received by the various board members in a timely manner. He also wondered how it can be effectively voted on.

Chairman Civitello stated that he went out and sought one out for himself.

Vice-Chairman Perez stated that he got the 54 page decree yesterday and it was a lot to digest and make a decision on.

Jack Stacy: Addressed the board and commented that he had read through the agreement and that it was just common sense regarding the police department. He questioned the hiring of a Joint Compliance Expert and the funding. We must supply office space, computer, etc., and possibly a staff and this could possibly bankrupt the town. He stated that he knows that we have to do this but was concerned about bankrupting the town.

Chairman Civitello commented that he didn't think that we are going to get any figures until this agreement is agreed upon. He also commented that the Department of Justice could care less, they say this is the responsibility of the town.

Frank Capone: Commented that he had the same concerns as the others. Will the funds needed be bonded? He also stated that no one seems to be able to tell anyone what's going on. How can anyone vote on something they never received?

Chairman Civitello stated that he understood that the Mayor will be meeting with the individual boards.

Fred Brow: Commented that the Board of Police Commission has been listed as a defendant, are they going to get counsel?

8. Correspondence Received/Sent

1. Wayne & Vivian Matthew: Re: Thank you Officer David Olson
2. Chief Kevin Halloran, Branford Police Department
3. Sergeant David Emerman: Back to school picnic, thank you to Officer Torello, Detective Ranfone, Officer Vecellio and Sergeant DePalma.
4. Commendation from Chief Larrabee: To Det. Danielle Germe, recovery of \$80,000.00 of stolen merchandise and arrests of the individuals responsible for those thefts.

9. To consider and act upon setting new meeting dates for the Board of Police Commission for 2013.

Chief Larrabee suggested that he would like to see the meetings held at the police station. It has handicap capabilities and felt that the Police Commission should meet at the police station. To him it resonated that if you were truly trying to make amends it was a good place to start.

Chairman Civitello commented that he didn't think people would be comfortable coming to the police department and he didn't know how the Department of Justice would view it. He said he also has not had good experiences there. He suggested that maybe some special meetings could be held at the police department.

Fred Brow stated that he was chairman of the board of police commission when they discontinued using the police department for their meetings. Citizens felt intimidated and uncomfortable, especially those who had or were having dealings etc. with the department. He also commented that the Senior Center is a more public place with a great deal of parking, which the police department does not have.

A motion was made by Commissioner Piergrossi to set the meeting dates for the Board of Police Commission for 2013, on the last Tuesday of every month at 7:00 p.m. at the East Haven Senior Center, seconded by Vice-Chairman Perez. All in favor. Motion carried.

10. To consider and act upon approving and accepting the policy "Cooperative Witnesses Policy & Procedure."

Chief Larrabee stated that in light of the recent decent degree it would be better at this time to table this item.

A motion was made by Commissioner Crisci to table "Cooperative Witnesses Policy & Procedure" until the next meeting of the board, seconded by Commissioner Piergrossi. All in favor. Motion carried.

11. To consider and act upon Grievance Number 2012-5 Police Union Local 1662.

Commissioner Piergrossi commented that we have two issues, an officer who retired and pleaded guilty in court and we have a contract. He didn't see how we can avoid the contract.

Attorney Sgrignari stated this was an unprecedented situation. He stated that the issue of retirement cannot be determined unless MERF retires him. If MERF affords him these benefits, we will address it later. He recommended denying it now and moving it forward. We would be putting the cart before the horse. We don't know what his intentions are and felt we should wait on the pension issue until we hear from MERF.

Commissioner Piergrossi stated that he did not see one union representative here for this Grievance.

Vice-Chairman Perez commented that he jumped the gun and that this grievance should not have been written until he actually retired.

Attorney Sgrignari commented that there is a procedural process that he can revert to.

Chairman Civitello mentioned for the record that \$322,560.50 has already been spent since the officers were on administrative leave, to include clothing and cleaning and other stipends.

A motion was made by Commissioner Crisci, on the advice of counsel, to Deny Grievance Number 2012-5 Police Local 1662, seconded by Commissioner Piergrossi. Roll Call Vote. All in favor.

12. Executive Session pursuant to C.G.S. 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending claims or pending litigation.

A motion was made by Commissioner Crisci to convene in Executive Session for the purpose of considering the proposed settlement agreement between the DOJ and the Town of East Haven, the East Haven Police Department and the East Haven Board of Police Commissioners, to include in Executive Session Commission members, Chief Larrabee and Attorney Sgrignari, seconded by Vice-Chairman Perez. All in favor. Time: 7:40 p.m.

A motion was made by Commissioner Piergrossi to come out of Executive Session, seconded by Vice-Chairman Perez. All in favor. Time: 8:32 p.m.

A motion was made by Commissioner Crisci:

Whereas, the DOJ and the Town of East Haven have been engaged in discussion relating to a voluntary resolution of claims set forth in a DOJ findings letter dated December 19, 2011 alleging that the East Haven Police Department engaged in discriminatory practices and

WHEREAS, the DOJ and the town have determined that voluntary resolution of the claims rather than engaging in costly and protracted litigation is the most effective means to resolve the claims, and

WHEREAS, the proposed resolution has been memorialized in a proposed settlement agreement and order between the United States of America, the town of East Haven, the East Haven Police Department and the East Haven board of Police Commissioners, and

WHEREAS, after careful consideration, this Board is of the opinion that the proposed resolution is in the best interest of the Department.

NOW, THEREFORE, BE IT RESOLVED THAT THE PROPOSED AGREEMENT FOR EFFECTIVE AND CONSTITUTIONAL POLICING BY AND BETWEEN THE UNITED STATES OF AMERICA AND THE TOWN OF EAST HAVEN, THE EAST HAVEN POLICE DEPARTMENT AND THE EAST HAVEN BOARD OF POLICE COMMISSIONERS IS HEREBY APPROVED, AND THE BOARD AND DEPARTMENT WILL HEREINAFTER TAKE THE STEPS APPROPRIATE AND NECESSARY TO IMPLEMENT THE PROVISIONS OF THE SETTLEMENT AGREEMENT AND ORDER, seconded by Vice-Chairman Perez. Roll Call Vote: All in favor.

A motion was made by Vice-Chairman Perez to adjourn, seconded by Commissioner Crisci. All in favor. Motion carried.

Chairman Civitello adjourned meeting at 8:36 p.m.

Respectfully Submitted

Virginia Williams
Secretary