

BOARD OF POLICE COMMISSIONERS

MINUTES of the Meeting of the Board of Police Commissioners held at the Southington Police Department. Scheduled to meet in Conference Room and moved to Community Room on February 19, 2009.

The meeting is called to order by Acting Chairman Nevelos at 6:15 p.m.

Commissioners Triano, Bedard and Della Vecchia were present.

Commissioner Verderame was absent.

Chief John Daly was present

Captain William Palmieri was present

Acting Chairman Nevelos calls for a motion to approve the minutes of the January 8, 2009 regular meeting.

MOTION made by Commissioner Bedard to approve the minutes of the January 8, 2009 meeting, seconded by Commissioner Triano. Commissioner Della Vecchia abstains. Motion passed.

Acting Chairman Nevelos called for a motion to approve billings presented to the Commissioners for payment.

Chief Daly presents four requisitions to be submitted so that purchase orders can be produced. The requisitions were:

PerfectTemp in the amount of \$3,500

Volpe & Sons Mobile in the amount of \$5,000

Dan Quinland Grounds Maintenance in the amount of \$5,500

Siegel, O'Connor in the amount of \$10,000

Commissioner Triano asked if the Quinland billing was for one month. Chief Daly explained that the documents submitted were requisitions and as the bills come in the bills are paid off of the requisitions (which become purchase orders) with this new Munis System.

Acting Chairman Nevelos requested Chief Daly to give his report to the Commissioners.

Chief Daly spoke of the recent article in the Record Journal about Mr. Foley and our request to name a section of Route 10 after him. We have submitted the paperwork wherein it will be going to Rep. Zalaski and hopefully will be voted on by the State DOT.

Next spoke on letter received from US Department of Justice. Chief Daly indicated that the Department had applied to the Office of Community Oriented Policing Services (COPS) requesting funding under the Secure Our Schools grant program. Chief Daly in further reading the letter indicated that unfortunately our Grant request was not selected. Chief Daly indicated that the Grant would have allowed for cameras and towers at DePaolo and Kennedy Middle Schools. Commissioner Triano asked if there was a plan to resubmit for this year. Chief Daly indicated that with the Stimulus Package, he has been received a lot of e mails from the IACP regarding funding and I will list what they are talking about alittle later in the meeting.

Chief Daly then spoke of the sentencing of Michelle Ladd, who falsely accused one of our officers, Ms Ladd was arrested and she was sentenced to the maximum of six months.

Chief Daly informed Commissioners that he has been working with the Southington Parking Authority regarding downtown parking. He commented that there is going to be a public hearing on March 5, 2009 regarding the parking and possibly limiting the amount of two-hour parking reducing it for certain hours, Monday thru Friday, from 10:00 am to 6:00 pm and Saturday from 8:00am to 12 noon. Chief Daly indicated that he would be attending the March 5 public hearing and see what the input is from the downtown merchants and we may switch the parking on the road which I control as the Local Traffic Authority.

Chief Daly indicated that unfortunately the Union was unable to attend the February meeting and he was hopeful that the March meeting would take place in that he had a couple of issues to be discussed. Further indicated that one of the issues was a letter he had received from the Hospital of Central Connecticut, the Bradley Campus. Chief Daly read the letter received from John J. Baccaro, Director of Public Safety requesting that the Public Safety Officers at the Bradley Campus be given the authority to issue Town of Southington parking tickets within

the Bradley Campus. The letter voiced Mr. Baccaro's concern that unauthorized vehicles continually park in the Emergency Department lot which limited parking for the actual Emergency Department patients. After reading a letter, Chief Daly indicated that he would be talking to the Union to get their input on the request and would discuss the issue again with the Commissioners at a later time.

Concerning the monthly report, Chief Daly gave a synopsis of what had occurred: On Thursday, January 29, 2009 at 8:00 a.m. a Jared Treiber, age 28 of 740 Prospect Street, Plantsville had driven his 1997 Saab north on West Street and had crossed left of the center into the southbound lane striking a 2005 Ford van driven by Timothy Brunet, age 55 of 12 Village Lane, Burlington, Ct. Brunet was transported to Bristol Hospital for medical treatment; Treiber did not survive the crash. West Street was closed between the intersections of Birch and West Queen Streets for approximately three hours for investigation purposes.

On Friday, January 30, 2009 at 2:20 pm Officer Stephen Salerno was operating his marked patrol vehicle east on Mulberry Street. Angela Hagen was operating her vehicle a 1999 Yukon north on Old turnpike Road. Officer Salerno had stopped on the stop sign controlling eastbound traffic at the intersection. Officer Salerno then entered into the intersection to proceed eastbound and his vehicle was struck by Hagen's northbound vehicle. Investigation showed Hagen did not stop for the stop sign controlling northbound traffic at the intersection. Officer Salerno, Hagen and K9 Damon were injured. Commissioner Triano inquired if Officer Salerno was okay. Chief Daly responded that he is still recuperating and K9 Damon required stitches.

On Saturday, January 24, 2009 about 4:00 a.m. the Department received a call for service regarding a suspicious person in the vicinity of West Center Street, Extension. A homeowner in that area had a guest leaving their home when they discovered persons inside their vehicles. The suspects fled the area prior to police arrival. Around 6:30 a.m., SPD Dispatch received a call of a car fire in the driveway of a home on Vernondale Court. The Fire Department responded along with our Department. Upon arrival a vehicle was found to be fully involved in fire. As both the Fire and Police Department officials were on the scene, they were notified of other incidents of vandalism that had occurred. These incidents were reported as neighbors in the area came outside and discovered various property damages to their yards and vehicles. In total, four vehicles had some type of attempted fires started within them. There were other minor property damage reports and items were also reported stolen from vehicles and yards within the area.

It did not appear that any accelerants were used to start any of the fires. These incidents are being investigated by the Department with the assistance of the Fire Department as well as the Office of the Connecticut State Fire Marshall. All incidents occurred in the area of West Center Street Extension, Vernondale Drive and Vernondale Court. A reward up to \$2,500 was set up with the Connecticut Arson Tip Award Program.

Chief Daly also informed the Commissioners that an armed robbery had occurred this past weekend at Sam the Clams.

Commissioner Triano questioned Chief Daly as to procedures taken when an incident such as the one in the West Center Street, Extension area occurred. He questioned if officers would go door to door? Chief Daly indicated that normally at 4 a.m. in the morning door to door would not take place because we do not want to wake people up especially if we have a description of a vehicle. The detectives also do follow up investigations and a neighborhood canvas.

Chief Daly commented that he had requested from Lt. Shanley, who is in charge of the Detective Division, to give him a synopsis of the cases currently within the detective Division. He commented that currently the number is 129 active or assigned cases, including numerous burglaries at the public storage on Queen Street. He further commented if you exclude the public storage burglaries, the active or assigned case number is 87.

Chief Daly distributed a budget summary to the Commissioners in which he indicated that he kept the commissioners updated each month as far as the overtime account in our budget. He commented that some of the larger overtime incidents that occurred during the month of January were the fatal accident on West Street, the accident where our patrol vehicle got hit, the fires and vandalism and we did a search warrant regarding an old robbery case that required some overtime. Projecting into this fiscal year, we are approximately 65 percent of the way through the budget and our overtime is at approximately 59 percent used up and with no major incidents occurred we are hopeful to have a \$57,000 surplus but in this line of work you just never know as Chief Daly indicated.

Chief Daly then distributed a chart concerning sick time used. He compared January of 2009 to January of 2008. He commented that sick time does include, sick days, injured, sick no pay and family sick and indicated that for the month of January the count was 99 days. Referred to January of 2008 the count was 101

days.

Next Chief Daly distributed a chart which showed the amount of report time, investigations, various administrative duties versus the calls for service. He referred the Commissioners to the section of the chart which indicated the activity analysis by priority with the most serious calls being priority 1 which had 204 calls, priority 2 had 1643, priority 3 had 235, priority 4 had 1053 and administrative items were 2,430. The charts are being used to view different ways of the management of our personnel.

Chief Daly indicated that he had been asked by the Town to review our fee schedule. Chief Daly distributed charts indicated a comparison to the surrounding towns. He believed our fees were in direct line with the surrounding towns as he gave a comparison with the surrounding towns. He did, however, indicate that the charge for vendor permits might be an area to consider to be increased. He indicated that the Department's Records Department had totaled 45 vendor permits issued last year with the majority of those permits issued at Apple Festival time. Chief Daly further commented that another area that could be considered is the area of finger printing. He indicated that Southington currently does not charge for finger printing wherein Bristol charges \$5 for a resident, \$10 non resident, Cheshire charges \$5, Plainville does not charge, Meriden charges \$5 per hand, Wolcott and Berlin, no charges. In 2008 we finger printed 652 people so if we were to charge \$5 there would be \$3,260 in additional revenue.

Commissioner Triano viewed Chief Daly's research and comments as a good thing and something the Commissioners should look into at a future date in light of the fiscal restraints. Commissioner Triano indicated that some departments such as the Town Clerk had mandated fees so to review the Department's fee schedule is a good thing. Chief Daly indicated that he would report back to Attorney Sciota that the Commission had discussed the issue.

Chief Daly reviewed the options for Truck 10, which is the vehicle that Officer Salerno was driving, with the Commissioners in which he indicated that the insurance company is telling us the truck is totaled and before we do anything we need to get an exact figure from the insurance company. Chief Daly will report back to the Commissioners next month.

Chief Daly spoke on a recent letter from the Connecticut Police Chiefs Association concerning the federal stimulus package and significant funding for

law enforcement grant programs. Chief Daly cited the summary of the final compromise bill which was released:

\$2 billion for the Byrne JAG formula grant program

\$225 million for Byrne competitive grants

\$225 million for violence against women programs of which \$175 million is for the STOP grants and \$50 million is for the transitional housing assistance grants program

\$1 billion for the COPS Office for the hiring and rehiring of additional career

law enforcement officers and civilian public safety personnel. The bill waives the 25 percent local match and the \$75,000 per officer cap

\$40 million for competitive grants to provide assistance and equipment to local law enforcement along the Southern border (would not be eligible for this grant)

\$225 million for Indian Country grants (would not be eligible for this grant)

\$125 million for assistance to law enforcement in rural areas

\$50 million for Internet Crimes Against Children initiatives

Chief Daly indicated that the Department will keep an eye on all of these grants and when they become available, he will report back to the Commissioners.

Next item on the Agenda was the discussion of recently issued parking tags. Letters from recipients were distributed to the Commissioners, Chief Daly read each letter and reviewed each contested tag letter and the Commissioners decided as to the action to be taken. A letter will be sent to each individual who has contested their issued tag.

Officers Lamarre and Atteratto entered the meeting and were introduced by Chief Daly to the Commissioners. All Commissioners wished the recent graduates from the Meriden Police Academy well.

Chief Daly discussed the three policies within the General Orders which were reviewed and signed off by the Town Attorney. Chief Daly asked Commissioners if they had any questions. The three policies were:

Field Training Officer Program

Taser Electronic Control Devices

Death Notification

MOTION made by Commissioner Bedard to approve the three policies to the General Orders that were reviewed and signed off by the Town Attorney, Mark Sciota, which were Field Training Officer Program, Taser Electronic Control Devices and Death Notification seconded by Commissioner Della Vecchia, all in favor, Motion passed.

No further comments by Chief Daly and no questions from the Commissioners.

Public Communication:

Officer John Mahon introduced himself on behalf of LEAS, the Police Union. He indicated that he was present to represent the membership who had several questions of the Commissioners.

Question posed was why the Commission elected to use an investigator from the Connecticut Chiefs of Police Association when Chief Daly is currently the President of the Western Chiefs of Police Association? Officer Mahon indicated that it is a matter of investigating one of their own as it is all the same organization. He continued is it fair for Chief Sullivan to investigate one of his own members? Commissioner Bedard asked, "What would you have preferred?" Officer Mahon questioned if there was a cost to do this investigation? Additionally, isn't there a State Ethics or State Corruption Agency that would not charge to do this investigation? Did the commission look into this option?

Commissioner Triano responded that the Commission went through the Town Attorney's office and inquired as to the best way to approach the situation. Commissioner Triano continued with his response by stating our option was limited and the Commission ended up interviewing two candidates. Sullivan was our final pick and one of the reasons we chose him, like you had requested an unbiased investigation, review, Sullivan did not know Chief Daly, might have been in his company, did not recall him and I thought in and of itself that was favorable. As you know, we are trying to accommodate your request, you wanted an investigation, we said we would do it, you did not want us to do it, you wanted somebody else, so we got someone else I think we made a good choice, and that is how the selection was made. I don't feel that your comment about "being one of his own" is giving him a fair shake as he has been doing this for a while. If you

had a chance to talk to the guy you would see that the results of some of his investigations went both ways.

Officer Mahon responded that the Union was not questioning Mr. Sullivan's integrity. We are just saying what it looks like, the membership, everyone here has been asking why is it someone who appears to be closely connected as far as membership in the same organization, that was the question.

Commissioner Triano commented that as a former police officer and chief as you recall one of the main concerns that you had at the last meeting was there was a feeling that there was potential for some potentially criminal activities and that is why you felt we did not have the authority to make the investigation so we got someone who has the authority over the years. We are trying to accommodate you but every time we try to accommodate you, you come up with something else.

Officer Mahon responded that we do not want to come across like we are trying to control, we just thought that every time we come along with something there is always a slight cloud. Commissioner Triano responded in our perspective there is going to be a cloud over everything we try to do to accommodate you, we do not drop the hammer and state this is the way it is going to be. We try to take into consideration some of the things you want but you have to meet us half way and let us try to do what you want.

Commissioner Bedard commented as far as the criminal matter, that is with the State's Attorneys Office that is going to the state. What I do not understand of that meeting was your question, are we capable of realizing a criminal act, correct? The States Attorney is handling any criminal acts. Now my question is who is the best person, in your opinion, if you are looking at the Chief's policies, if they were adhered to or not adhered to, who would be the best person? It would be a former police chief? Officer Mahon responded we are not questioning his ability or his integrity to do any type of investigation, the question asked, it is a matter that Chief Daly is a member of the Western Region Police Chiefs Association and this gentleman that is doing this investigation is also a member. Chief Daly indicated that he is a member of IACP also. Commissioner Nivelos interjected that there will be a cross over somewhere. Commissioner Triano then commented so you are not telling us not to do it or that you don't want it done?

Officer Mahon again stated what we want to know is what measures were taken to insure that Chief Knapp and/or Chief Sullivan had no personal or

professional relationship with any persons or family members mentioned in the Complaint. The comment from the Commissioners was that they had asked.

Commissioner Triano then commented and relating back to the potentially criminal charges, either Knapp or Sullivan they both stated when they start their review if they spot anything that appears to be of a criminal nature, they immediately turn right over to the States Attorney. Back to your request, someone with police knowledge that can spot something that may potentially be criminal, we got a former police officer and chief.

Officer Mahon, like I stated, we are not questioning their ability. One of the other things, the Connecticut Police Foundation which falls under the Connecticut Police Chiefs Association, on their website site members including Chief John Daly, Eric Daigle, Joseph Abbate, Chief William Knapp. Chief Knapp was one of your candidates and he is on the same board as two of the people who are involved in this complaint. Question, are you talking about Knapp? Answer, we did not hire him.

Another question posed referred to prior meeting when Union asked to have an outside source do the investigation. Your commission went into Executive Session to discuss that and we asked if Chief Daly was involved to discuss that and your response was no. The question being asked is that Chief Daly was in your Executive Session for approximately 10 minutes during that meeting, then he left and approximately 10 minutes later. There was conversation on issue between Commissioners and Officer Mahon. Commissioner Bedard responded that you were invited into Executive Session and you declined. We had heard your side and Chief Daly had the opportunity to voice his side. There are two sides to every story. After we heard Chief Daly, he left the meeting, we as a Commission discussed what we heard from both sides. Commissioner Bedard went on to state what would have been nice would have been for the Union to come into executive Session and discuss the issues because they are and were personnel issues and then perhaps all of where we are right now could have been eliminated. Officer Mahon responded that it took the Commission all of “zero” minutes to make a decision. Commissioner Triano responded that this is all in the past and we have to move on and I believe to some degree we are trying to accommodate your request.

No other business to come before the meeting. Acting Chairman Nevelos calls for a motion to go into Executive Session.

MOTION made by Commissioner Bedard to adjourn the regular meeting and go immediately into executive session, including Chief Daly, excluding the press and the public for the purpose of discussing personnel and contractual issues, seconded by Commissioner Triano.

Motion passed at 7:15 p.m.

Respectfully submitted,

Joanne D. Palmieri
Recording Secretary

BOARD OF POLICE COMMISSIONERS
Executive Session

February 19, 2009

Acting Chairman Nevelos called the Executive Session to order at 7:15 p.m.

Present: Commissioners Triano, Bedard and Della Vecchia

Chief John Daly

Personnel and Contractual issues were discussed.

**MOTION made by Commissioner Triano
to adjourn the executive session and go back
into regular session. Seconded by Commissioner
Bedard. Motion passed unanimously.**

Meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Joanne D. Palmieri
Recording Secretary

Commissioners did not go back into Regular Session.

