

## **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 January 8, 2009.

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

Commissioners Triano, Nevelos and Bedard were present. Commissioner Forgione was absent.

Chief John Daly was present

Chairman Verderame calls for a motion to approve the minutes of the December 11, 2008 regular meeting.

**MOTION made by Commissioner Triano to approve the minutes of the December 11, 2008 meeting, seconded by Commissioner Bedard. Motion passed.**

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

Chief Daly states he has no bills to present.

Chairman Verderame requested Chief Daly to give his report to the Commissioners concerning activity reports.

Chief Daly gave a summary report on the following:

Southington Center Area Parking Concern: December, 2008 showed 293 parking violations issued by the Police Department. The overnight parking restriction can be attributed to some of the increase in violations issued. Out of the 293 violations, approximately 102 were parking violations issued within the Southington Center area during the month of December. The Patrol Division will continue to monitor the parking situation and continue the Department's

interaction with the business community. Chief Daly further commented that the First and Second Shift officers are monitoring the Southington Center on a daily basis and Third Shift is checking also.

**Suspicious Substance in Package:** A resident at 63 North Summit Street reported receiving a letter that contained a white powder substance along with a threatening note. Southington Police, Fire and the Health Departments responded along with FBI, Postal Police and the Connecticut State Police Emergency Services Unit. Laboratory testing showed the white powder was non-biological in nature. This case is being investigated by the Detective Division.

**Larceny Investigation:** An elderly person had reported three rings missing from the Orchards Assisted Living complex. Officers located two of the rings; however, the third ring is still missing and has a value of \$12,000. The case is being investigated by the Detective Division.

**Burglary/Criminal Trespass/Possession of Marijuana/Weapons in a Vehicle:** A man followed a female to her home and entered her garage. He subsequently fought with police and was found to have drugs on him and a knife in his vehicle. This arrest was made by the Patrol Division.

**Sale of Illegal Drugs/Possession of Narcotics/Risk of Injury to a Minor:** Two persons were arrested after a long investigation by the NET Unit. These people were selling drugs out of a local motel with their four year old daughter present.

Chief Daly read an e mail request from Thomas West, the Superintendent at the Southington Water Department. The e mail read as follows: Chief Daly: On April 24, 2009 the Southington Water Department will be running a Prescription Medication Collection Day. The intent of the program is to remove these potential environmental contaminants from the waste stream, and also to do our part to keep these dangerous substances off the street. Keeping these medications off the street would certainly be in alignment with the mission of the Southington Police Department. Because some of the medications that we will likely receive will be controlled substances, we will be required to have a police officer on site during the program and a half hour before our scheduled start and a half hour after we stop collecting. That officer will have to take custody of the controlled substances which will be inventoried and placed in a locked container. This container will then have to be placed in a locked storage area at the SPD until the next business

da when a Drug Control Agent will take custody of the medications. We plan to run the event for 4 hours, likely either from 9am-1pm or 10am-2pm. As we feel this program is a very worthwhile event, and certainly in line with the SPD's mission, we are requesting that you approach the Police Commission about donating your services for the event. The Southington Board of Water Commissioners approved \$5,000 for this event, and also approved donating my time for the supervision of the event. In addition, John Dobbins who is a licensed pharmacist, and is Secretary and Treasurer of the Water Commission has agreed to donate his time to the event as well. John came up with the idea of the SWD sponsoring this event, and has been doing a great deal of research into the hoops we have to jump through in order to sponsor it. The next step we need to take is to have a commitment for Police presence at the event. Several community organizations have expressed interest in working with us, including the STEPS program. Please let us know ASAP whether or not you will be able to donate an officer to this event, but at a minimum, we will need to know if we can have an officer on site on that Saturday. If you could please let me know in writing ASAP if you will be able to staff the event, so we can include that letter in our submission to the Board of Pharmacy and Drug Control.

After the e mail was read, Commissioner Triano questioned if the officer's overtime would come out of the \$5,000 appropriated by the Water Department. He further commented that it is a very worthwhile cause.

Chief Daly stated, no the overtime payment to the officer would come out of the Police Department's overtime account. Chief Daly also indicated that Capt. Palmieri had projected out the first six months of Departmental expenses and it looked like the Department would have a surplus of \$46,923 provided no major events took place between now and the end of this fiscal year.

**MOTION made by Commissioner Triano to approve the request made by the Southington Water Department relative to the April 24, 2009, Prescription Medication Collection Day event for over time to be paid to whatever officer works the event. Said over time payment to be made under the Police Department budget, seconded by Commissioner Bedard, all in favor, Motion passed.**

Chief Daly speaks about the upcoming 4<sup>th</sup> Annual YMCA Polar Plunge and invites any or all Police Commissioners to join him to do the Plunge. Chief Daly stating that police officers from the Department along with Buddy Clark, the Fire

Chief, Brian Goralski from the Board of Education, and Mark Pooler from the YMCA will be among the many whom will be plunging for this very worthwhile cause. Chief Daly indicated that he has participated for the past three years and invites anyone to join the effort.

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

### **Public Communication:**

Stephen Salerno introduced himself as the head of the Police Union. Mr. Salerno indicated that he had two questions of the Commissioners. First, what were they going to do concerning the Complaint that was filed by the Union against Chief Daly?

Chairman Verderame responded that they would be reviewing it and discussing the Complaint in Executive Session.

Mr. Salerno asked if someone would advise the group? The response was yes from Chairman Verderame.

Second question concerned the restructure plan. Mr. Salerno commented that since early October, 2008 we have heard many references to the restructure plan and promotional appointment. He questioned has anyone here ever seen a written copy of the restructure plan?

Chairman Verderame, no.

Mr. Salerno commented that a promotion from a supernumerary officer to a Police Captain was viewed as a serious action. At the Departmental meeting on the 23<sup>rd</sup> of December, our officers inquired of the Chief about the restructure plan, we have FOI'd a request and yet we have received nothing. Mr. Salerno further commented that the Chief states, "it is in his head". We also had a meeting with the Chief on January 5<sup>th</sup>, 2009, we asked for the document and the Chief contends that he will not discuss it or give us any documentation.

Mr. Salerno further commented that so much has occurred since October and This Plan is not even in writing. We would like to see it and in fact it doesn't even exist.

Commissioner Triano commented that if the events had gone a different way, he was sure the documentation would have been available by now. There are a lot of things to consider such as the grant writing, policy revisions, freeing up of the Captains' time and the need is to focus on those issues so that we can get you guys what you want; however, all that has had to be put on the back burner.

Mr. Salerno then commented, after we left your meeting in October you went into Executive Session and you promoted a super to a Captain.

Chairman Verderame commented that was done pending the funding.

Commissioner Triano: You can't move on anything until you have the money.

Mr. Salerno questioned, don't you think something should have been set down in writing?

Commissioner Triano responded that it was discussed in detail at various times and in addition to that several Board members had a working knowledge as far as what was going to be put in writing.

Mr. John Mahon requests to speak. He commented that if this went from your Executive Session to the Board of Finance, to the Town Council and the tax payers, then what was the savings and what was everyone told?

Commissioner Triano responded that it was in fact a cost savings of \$6,500 to the tax payer not an additional expense. He further commented and why we went to the Board of Finance was because it was a transfer of funds, it was not an appropriation, we had the money within the budget. He further stated that generally transfer of funds go pretty smoothly because a department is working within its own budget.

Chairman Verderame then commented that this was not something that happened in one month. We talked about it at great length and everybody had different thoughts. We went through our discussions and changed our actions about five or six times and we decided to wait and see if we got the money.

Chief Daly commented that the appointment was made pending approval of

the funding.

Mr. Salerno commented that if a restructuring plan is going into effect we feel we should have information on it.

Commissioner Triano, all of it?

Mr. Salerno, we would like to know the basics, only the important items, important points the ones that will affect us.

Chairman Verderame questioned if it was all written out from A to Z, what are you doing to know anyway? Speaking directly to Mr. Salerno, Chairman Verderame asked him if he knew the key points?

Mr. Salerno responded we don't know the key points so we can't discuss the key points.

Chairman Verderame commented, these men put their trust in you and you are not telling them everything you know.

Mr. Salerno responded, yes I am.

Mr. Verderame responded, I disagree, you are not telling them everything.

Mr. Salerno, they want to know.

Chairman Verderame responded that the Commissioners will get the Chief to put the plan out, post the Captain's position in March. He further commented, why don't you wait and see and it will be out for the public to see. He further commented that I can tell you this it wasn't a five minute decision, it wasn't a month decision, we changed the plan many times.

Mr. Salerno questioned, you discussed it in length and no one wrote out the plan?

Chairman Verderame stated, we are not hiding anything, we will provide the information as soon as possible.

Mr. Mahon commented that we voiced our concerns, the union's concerns

and the whole Department's displeasure, voiced it personally to you. You were going to step back, take a breath and look at this appointment and you guys were going to put some thought into it and then we find out the next day that Eric Daigle was promoted to being a Captain. We filed a Grievance to voice our displeasure, you guys changed the meeting without even telling us and then denied our Grievance.

Mr. Salerno commented, the bottom line is we wanted some details at our Departmental meeting, the Chief refused to give it to us, give us something. He further commented, "How can he sit in front of his men and not answer a question?" You have to stand in front of your men and give them something.

Chairman Verderame commented I agree with you and as soon as possible.

Question was raised by Commissioner Triano about the grievances and the fact that discussions should not be taking place while the grievances were still active.

Mr. Salerno commented that it was a lack of oversight on his part, the union has no intention to move forward at this point on the grievances, the grievances will not go forward. It was a mistake, he commented.

Commissioner Triano then commented to Mr. Salerno that the information that we may give you is going to be highlights and you and I had discussed most of them and further we don't know anything above this and I personally discussed it with you.

Mr. Salerno commented, I think it will mean more if it comes from you, the Board.

Sergeant William Perry comes before the Board to speak. He commented that he was been here for 20 years and a sergeant since 1996 and he is now second senior sergeant. He commented that for two days a week for about the last ten years he has been the officer in charge when the lieutenants have off. Up until the last two years, a sergeant got to fill in to replace a lieutenant. Sergeant Perry stated you currently have two Captains, one Captain has been stripped pretty much of his daily duties and is in charge of the janitor and the other Captain loves his job so much that he would work for free and both are good men. He continued, what he was trying to say here is that we don't need a third Captain. If you leave the

Lieutenant, you can have him do this job. We have people here with Master Degrees.

As far as policies go, we take them from different Departments and make them our own. We have a sergeant who is the highest rank, a NCO in the Coast Guard. The lieutenants don't do anything that I don't do and I am tired of being told I am incompetent. He further commented, where is the cost savings from \$97,000 versus \$87,000?

He further commented, we are held up to a standard. I get called in when I make a mistake. You Commissioners do not know what we do on a day to day basis. I am sure that there is a plan, you don't go into a bank and ask for something and tell them it is up in your head. What happened here is we gave him a job and now we have to find out he is going to be promoted. He is a good guy but that is not the point here, everybody got slapped in the face, there is no advancement, no opportunity, we are dedicated people. We work when we are sick, on birthdays, holidays.

Commissioner Triano questioned the Chief concerning promotions.

Chief Daly responded since I have been Chief for six years, we have had 13 promotions.

Mr. Ben Doerffler comes before the Commission to speak. Mr. Doerffler commented that it has already been stated that on October 9, 2008 a supernumerary was promoted to the position of a Captain. General Order 34 of the Police Department deals with promotions. Mr. Doerffler questioned if the promotion was made in conjunction with General Order 34.

Commissioner Triano answered yes.

Mr. Doerffler asked if they could describe the promotional requirements.

Commissioner Triano commented no he could not.

Mr. Doerffler asked if they are written down somewhere?

Commissioner Triano then stated, what I can say is that all of the promotions that have been made so far have been pretty good. When you are promoted to a

higher rank you deserve the promotion.

Mr. Doerfler questions, what I am asking is specific to General Order 34 and he stated, Mr. Chairman the General Order No. 34 of the SPD reads, “the purpose of the General Order is to outline the procedures and define the role of this Police Department in the promotion of its employees”. Southington Police Order 34.3 states, “all procedures used in the promotional process will be job related and not discriminatory”. Mr. Doerfler commented, Sir, do you believe that a promotional process that excludes all full time employees of this Department is non-discriminatory?

Commissioners speak with Chief Daly concerning promotional process.

Commissioner Triano commented that they had not violated any rules or regulations. A short discussion again took place between Chief Daly and Commissioners.

Chairman Verderame commented that they were refreshed by the Chief that they had the labor attorney and town attorney check what we were doing and both said everything was okay.

Mr. Doerfler then commented, I asked you personally do you think it was non-discriminatory?

Chairman Verderame responded I think what we thought is that we had the person that would be most effective.

Mr. Doerfler, was the answer yes or no, sir

Chairman Verderame responded, I think the answer would be yes. I think the answer would be fine. There was five people here and we all thought it was fine and I don't think we would have done it if we didn't think it was fine.

Mr. Doerfler commented, the question was non-discriminatory or not?

Chairman Verderame, no I do not believe it was non-discriminatory.

Mr. Doerfler asked the next question which was do you believe a police captain possesses supervisory or demands authority over all police personnel

below the rank of Captain to include lieutenants, sergeants, detective and officers?

Chairman Verderame responded yes.

Mr. Doerfler had one last comment regarding the plan. The question was posed to the Chief of Police to describe the Plan beyond the promotional plan to appoint a supernumerary, part time employee, to the rank of Police Captain the details beyond that promotional appointment, we asked to please explain and his answer was "I can't". We do not need the union president to tell us, we ask you the Police Chief who developed the Plan and you Commissioners who acted upon the Plan what are the details of the plan and we got no answers. Thank you.

Chairman Verderame asks if there is anyone else who would like to address the Commissioners?

### **Old Business**

Chief Daly stated that an RFP was written up concerning cruiser maintenance and what not. We spoke with Attorney Sciota and it is going to include other Town Departments off this bid. We are going to get this RFP out as soon as possible, put it out to bid and include the other Town agencies.

Chairman Verderame asked if there was any other business?

Chairman Verderame commented that he would like to schedule a Budget Workshop for next week. It was decided on for Tuesday, January 13<sup>th</sup> at 6 p.m. here at the Police Department.

Commissioner Triano commented to that along those lines, Chief you know which avenue the Town Manager, Board of Finance and everyone else is headed this year.

Chief Daly stated that he gave clear directions no higher than 2 to 2.5 percent over this current fiscal year.

Commissioner Triano stated, then you will be prepared with some options on many of the items such as Dare programming, cruiser maintenance, Crime Prevention, K-9 and even personnel.

Chief Daly responded that he would have many options for the Commissioners to look at.

Chairman Verderame asked for any other questions or comments.

No other business to come before the meeting. Chairman Verderame 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 and we may need to talk to Officers Mahon and Salerno, excluding the press and the public for the purpose of discussing personnel and contractual issues, seconded by Commissioner Nevelos.**

Query of Commissioners if they would be coming back about the complaint? The response from Chairman Verderame was it depended if they had something to vote on.

Mr. Salerno also commented that he and Mr. Mahon would decline to meet in Executive Session with the Commissioners as too much has happened and been said and they preferred to meet in open session.

Motion passed at 6:45 p.m.

Respectfully submitted,

Joanne D. Palmieri  
Recording Secretary

BOARD OF POLICE COMMISSIONERS  
Executive Session

January 8, 2009

Chairman Verderame called the Executive Session to order at 6:45 p.m.

Present: Commissioners Triano, Verderame, Bedard and Nevelos

Chief John Daly

Chief Daly is asked to leave the meeting at 7:55 p.m.

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 8:05 p.m.

Respectfully submitted,

Joanne D. Palmieri  
Recording Secretary

BOARD OF POLICE COMMISSIONERS  
Regular meeting after Executive Session

January 8, 2009

Chairman Verderame called the meeting to order at 8:05 p.m.

Present: Commissioners Triano, Verderame, Bedard and Nevelos  
Chief John Daly

Chairman Verderame stated that they were in Executive Session reviewing the Complaint and it is going to take us a while but hopefully by the next meeting our investigation will be complete and we will have somewhat of a response.

Mr. Salerno asked who would be doing the investigation?

Chairman Verderame said the Board would be.

Mr. Salerno responded, on the Complaint, not an outside agency?

Chairman Verderame commented, no.

Mr. Salerno responded, that is unacceptable. We asked for an unbiased investigation that is fair to the Chief and fair to us

Commissioner Triano asked to speak. He commented that the one thing that is perplexing is that it seems over the past couple of months you come up with a situation that needs to be looked at, we in turn agree to look at it for you but it is always followed by look at this but this is how you have to look at it.

Mr. Salerno commented, we are not trying....

Commissioner Triano commented in other words you brought complaints and there is a lot of stuff here that you gave us, and we are looking at it, but we can do the investigation

Mr. Salerno, how are you going to do the investigation?

Commissioner Triano, the same way anything is investigated.

Mr. Salerno, you are not police officers.

Commissioner Triano, why do you have to be a police officer?

Mr. Salerno commented because we think there might be a violation of the Criminal Statutes. I will go look one up right now and bring it in.

Commissioner Triano responded, well I will tell you what, we took you at your word when you presented this information. It wasn't assumed that you gave any false statements here. We relied on you to give us good information and you did that, now why would the Chief give us bad information?

Mr. Salerno stated, we asked in the Complaint for an unbiased party to look at this. Honestly we think you are biased because based on what is going on here for the last three months, we don't think you can look at this fairly.

Commissioner Triano responded, so that is your opinion and you do not want us to investigate this any further? Just someone from the outside or put this to bed.

Mr. Salerno, unbiased, we want an unbiased agency, not put this to bed.

Commissioner Triano so you don't want us to look at it? Mr. Salerno responded, an unbiased agency.

Chairman Verderame, so you do want us to do our investigation or not?

Mr. Salerno responded that we want you to forward it to an unbiased agency

Chairman Verderame responded well we are not going to do that

Mr. Salerno responded, that is the answer we are looking for.

Commissioner Bedard requests the floor. Commissioner Bedard commented that she is a new member to the Board. I was at the last meeting, which was my first meeting, and the question was asked whether or not the Board would look into the issues that you had. What was the answer?

Mr. Salerno commented, you said you would let us know but we have not heard and it has been a month.

Commissioner Bedard commented did we say no?

Mr. Salerno commented you said you would look into it.

Commissioner Bedard, did we say no? Did we tell you we would look into it?

Mr. Salerno commented we never got an answer

Commissioner Bedard then commented, we did not tell you we would not look into this matter. You talk about protocol and how things should be done right.

Mr. Salerno stated, we follow the rules and regulations.

Commissioner Bedard commented, then why is it that the day before I got my packet about these complaints that John Weichsel and every Town Council person in this Town had prior knowledge of your complaints and not this Board?

Mr. Salerno responded that he had given the packet to the Chairman and the Chairman requested that I deliver it to the other Commissioners and I informed him that I would deliver it to the other Commissioners the next day.

Commissioner Bedard stated that you are missing my point. You said that you follow procedure, procedure is that that complaint packet should have come to tonight's meeting and not be broadcast across the Town of Southington.

Mr. Salerno commented, who said we broadcasted it across the Town of Southington?

Commissioner Bedard commented you delivered it to the Town Council.

Mr. Salerno commented, yes we delivered it to the Town Council because we were fearful that you were going to do exactly what you did.

Bantering between Mr. Salerno and Commissioner Bedard followed with Commissioner Bedard commenting that the Complaint had been sent to the press

and Mr. Salerno denying that the Union had sent it to the press.

Mr. Salerno commented again that the Union was afraid that this was going to happen. Yes it was sent to the Town Council but it was not sent to the press.

Commissioner Bedard commented that they had not even given the Board a chance.

Chairman Verderame then commented that the packet should not have been given to the Town Manager, the Town Council, the press. He continued we are the sitting Board. What is the Town Council going to do for you? Please can you explain it to me? I was on the Council for 14 years and I want to know what they are going to do for you.

Mr. John Suski approached the Commissioners and commented, if the Town Council does not feel the Commission or any Commission is acting properly they have the authority to withdraw....

Chairman Verderame stated, you could have gone to them after you had come to us first.

Query does the Council have the authority to withdraw an appointment if they feel...so in the interest of the integrity...Chairman Verderame interjected, so you give it to them first?

Chairman Verderame commented it should not have been done that way and that is how it got out to the press.

Mr. Salerno commented all we want is a fair and impartial way for this Complaint to be handled and we do not feel that is what is happening now. The question was raised, has anyone of the Commissioners investigated a complaint?

Mr. Suski then commented it was his understanding that there is an allegation of possible criminal wrong doings, a violation of the Connecticut General Statutes.

Chairman Verderame questioned, which one? I would like to know which one.

Mr. Suski commented, it could be all of them, it could be one of them and we do not feel the Commissioners have the authority, the knowledge or the training to investigate a criminal complaint.

Chairman Verderame then commented, you are a police officer and you are sitting there and you can't tell me which one has been violated.

Mr. Suski commented that it is not my job to investigate my Chief of Police, so you should know that is your job and since you can't investigate it, you should find the appropriate agency to do so.

Chairman Verderame commented that you are telling me you as a police officer can not tell me what has been violated? Mr. Suski commented that he has not investigated the Complaint and Chairman Verderame commented well look at it and let me know. Mr. Suski responded, it is not my job.

Mr. Suski, okay fine say you do an investigation and you find there is a criminal violation, what are you then going to do?

Chairman Verderame commented, I have no idea, we have not discussed it, we are not finished, we are not going out to another person unless we have to. If we think we have to, we may. I am not going to sit here and let the union tell me what I can and can not do, you are not going to run the Board. I can tell you that right now.

Mr. Suski commented, we are not trying to run the Board.

Chairman Verderame commented I think you do.

Mr. Suski commented, absolutely not.

Chairman Verderame commented, then why don't you get over here and sit. You want to run the Board, then run the Board, if you want to run the ship, it is the inmates that are running the ship, that is what is going on right now. There is objection to the comment voiced by the union members.

Chairman Verderame questioned then why would you go above this Board?

Mr. Salerno commented just in case something like this happened.

Commissioner Triano then asked Mr. Suski again to clarify his question about the Town Council.

Mr. Suski responded the question was, can the Town Council withdraw a Commission appointment? The answer was yes.

Mr. Suski then responded that he imagined that would possibly be one of the reasons that the Council was cc'd.

Chairman Verderame commented if they do that it is fine with us and Commissioner Bedard stated and that is why they didn't follow the procedures.

Chairman Verderame then stated that no matter what the Commission does, no matter what the five of us do and there will be five of us next week, whatever we do or whatever we say, it is not going to be good enough for you guys and I truly believe that. Mr. Suski commented that he did not believe that to be true.

Commissioner Bedard then stated that she had another question. She commented that in that packet, she had read through it and a good portion of them are four years old, two years old, two that may be recent, the bulk is Daigle. She questioned that why is it if those acts were so criminal or whichever way you are describing them, why is it that 5 years ago, two years ago, why were these things not brought up, why were they all packaged into this Complaint today?

Mr. Salerno responded that a fact finding committee was created when the Chief/Commission promoted Eric to Captain.

Commissioner Bedard stated, a fact finding Committee, it sounds like a witch hunt to me.

Mr. Salerno further commented at that point we started to FOI information of the Police Department, going through it, officers starting comparing notes, incidents that had occurred, not everyone was there for every incident in that Complaint, that is a snap shot behavior, and what we did once the guys started talking, it started to paint a pretty disturbing picture.

Commissioner Bedard then responded, okay now let me ask you a question. Would you state that that packet is a complaint and there has been no decision

made, the law says, you are innocent until proven guilty, you guys know that, right? How would you like it if in the last six years every patrolman that ever had a complaint filed against him, every patrolman whoever had a citizen put a complaint against them, misconduct put in their file, how would you like it if we took all those pieces of paper in all your files and cc'd them to the Town Council?.

Commissioner Triano then directed his comments to Mr. Salerno. If you take a complaint that was done several years ago and whoever was involved or on the scene at the time this happened and didn't bring it to light, then now it is an issue. The time lapse is what is confusing to this particular Board. In other words, if it was such a terrible thing to do, why wasn't it brought to light at the time of the occurrence?

Commissioner Nevelos commented, if it was a criminal act, why was it not investigated?

From the audience Mr. Busa commented, for fear of retaliation.

Commissioner Triano so now you are not of it?

Mr. Salerno then commented, not everyone was there for everything, once we sat down and started talking, we put that together. One guy wasn't there for everything.

Commissioner Triano then stated, so it was different officers involved at different times and during those times none of the officers thought it was a big enough deal to bring it up and the reason they didn't do that was they were in fear of retaliation.

Mr. Salerno commented, it is not any one incident, it is when you put it all together, it is a pattern of behavior that we can no longer endure.

Mr. Doerfler approached the Commissioners and commented that he hoped it was an unfortunate choice of words and I do take exception. Chairman Verderame commented he was sorry. Mr. Doerfler then commented that he would gladly release his entire personnel file tomorrow to anyone who wished to see it.

Mr. Salerno then commented, we do take exception to the comments about leaking to the media and to say that in open forum is out of line. Commissioner

Bedard then commented, well I think what you did to the Chief publicly was out of line.

Mr. Salerno then commented, we don't want to go into Executive Session and Commissioner Bedard commented again what you did to the Chief was out of line and you missed my point.

Mr. Salerno commented and that is why we wanted an impartial investigation and that just summed it up right there.

Commissioner Bedard again stated, you missed my point, how you did it was out of line, how you did it in my opinion was out of line.

Mr. Salerno then commented, we cc'd the Town Council because we feel we are not getting a fair shake. We had a feeling we wouldn't and whether you feel it's wrong, that's fine.

Commissioner Bedard asked if anyone had ever called her or talked to her, the answer being no, she then commented then do not make assumptions. Commissioner Bedard then commented you put it out there to begin with and that's how it got to the press.

Commissioner Triano then asked of Mr. Salerno and stated the items in this investigation report, curiosity more than anything else, what would be to you a satisfactory outcome of these complaints? What are you looking to get out of these complaints?

Mr. Salerno responded by stating we want it investigated fairly and let an impartial investigator decide, that is what we want. Commissioner Triano commented I asked about the outcome. Mr. Salerno responded that is the answer.

Mr. Mahon approached the Commissioners and commented, you ladies and gentlemen just broke from Executive Session, who was present for that meeting?

Chairman Verderame responded, all of us. Mr. Mahon commented, everyone at the table? No not Joanne, just the Chief. Mr. Mahon then commented, we just asked you to look into this complaint, (Chief Daly interjects I left) and you have the Chief sitting in there with you, I left commented the Chief, I was in there for a while when they asked questions and then I was asked to leave.

Commissioner Bedard then commented, you gave us a Complaint sheet and we got your side and we wanted to hear the other side. Commissioner Triano then commented we gave the Chief the same benefit we gave to you. Commissioner Bedard also commented that the Commissioners had asked them to join the Executive session and they did not want to.

Mr. Mahon then commented we asked you people to have a meeting with us over a month ago and we never got a meeting and that is why we are here today. We gave you a month and you never had a meeting with us.

Commissioner Bedard responded, if I remember correctly, you asked for something and there were some grievances and stuff and the chairman at the time commented that he would speak with the Town Attorney and we would get back to you.

Mr. Mahon commented and no one ever got back to us and that is why we are here.

Commissioner Triano responded that he had some comments to make. He stated that he was all for open communications and had jotted down several things. A couple of things that came up at the last meeting, open communications between anybody and this Board is certainly a good thing to have, but the scary thing is your insistence to meet and to quote from the minutes, the problem that I have right now is your insistence, again from the minutes of the meeting, to meet face to face without anyone else present, to me that does nothing for open communication. In fact the perception might be it is just an extension of going after the Chief, Eric Daigle and you are looking for a gripe session or what. When you don't want anyone else there it sends that sort of message.

Commissioner Triano continued, there are several avenues that we can explore, that you can. The Chief now has started up some of those monthly meetings and he will continue those meetings. They were a long time coming and you were right to be looking for them. You are right and now they are back. You may not always be happy with the outcome of the meetings but at least it is a communication and an informational thing. My personal feeling, and I do not know if the Board shares it with me or not, but if you have any concerns regarding the policies and procedures, rules and regulations, there is a chain of command that is in place to answer those questions and hopefully you will get some responses and if you don't we certainly want to know about it. If your concerns are with

contractual issues, the avenue you explore is the grievance procedure and this Board, as well as you, and we are bound by that contract and we abide by the end result of the grievance whatever it is. Now on the minutes of the meeting there is a public communication that you can use provided it is not a personnel matter or things of that nature. Having said all that, and I think I speak for the Board, I think we all maintain an open door policy and by that I mean if anybody has a situation or a concern that they want to be kept private, or they want to air or discuss my door is open. I am retired so I have a lot of time to listen and I am sure all of the other Board members feel the same way. I am sure the other Board members will be more than glad to listen to your concerns.

Commissioner Triano continued by commenting that most of what is going on right now is geared toward communication and we don't seem to communicate enough which is the biggest problem and what I am telling you is that there are avenues open for you and to get back to your original statement that you don't want anyone else in there but us, is a deterrent, I think especially when you have other avenues. He continued that he knew the Union had brought it up at the last meeting when Chairman Forgione indicated that he would consider meeting with you on a regular basis and I don't think it was brought up at the time that it meant without the Chief.

Mr. Salerno commented that he said he would meet without the Chief.

Commissioner Triano then commented well I will meet with you without the Chief and I am sure Jim will and the other Commissioners if you have an individual concern and if it's a concern that is directly aimed at the Chief or any of this staff I have to give them the same respect that I would give to you if a complaint was aimed at you and that is to openly share it with you. Find out both sides of the story. There are other avenues open and that is my feeling.

Chairman Verderame then commented that he knows that the Union feels that the Commissioners are biased and I can understand where you are coming from but we will have five people and it is pretty hard to have five people to be biased in one room. Everyone here thinks differently, you are not in the room listening to what we are saying. There are a lot of things that we are doing and we are trying to take care of situations and I think you should give us the opportunity to do that and that is all that I am asking for.

Mr. Doerfler commented from the audience by stating that if one of us had

this happen, we would want to be afforded due process for an investigation and I would want someone who is trained to investigate a complaint. I would not want to leave it in the hands of people who have good intentions but are not trained in investigations.

Chairman Verderame, any further comments.

**MOTION made by Commissioner Triano  
to adjourn the meeting, seconded by  
Commissioner Bedard. All in favor, motion  
passed.**

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Joanne D. Palmieri  
Recording Secretary

