

**MINUTES OF BOARD OF POLICE COMMISSIONERS MEETING
HELD TUESDAY, JANUARY 11, 2011
STAFF CONFERENCE ROOM – POLICE HEADQUARTERS**

Vice Chrmn. Jagoe called the meeting to order at 7:00 P.M.

1. ROLL CALL

COMMISSIONERS PRESENT: Sam Bergami, Anthony Candido, Melvin Eisenhandler, Carol Faruolo, Alberta Jagoe, Sharon Marrone, J. Wanosky

ALSO PRESENT: Police Chief Mello; Deputy Chief Fournier; D. Candido, Secty.

A quorum was present to conduct the business of the meeting.

a. Reorganization of the Board:

It was moved by Comm. Faruolo and seconded by Comm. Eisenhandler to nominate Alberta Jagoe as Chair of the Milford Board of Police Commissioners.

Comm. Faruolo stated that Comm. Jagoe has done a great job in her role as Vice Chair and she personally felt it is appropriate and in order that she is Chair.

Being no further nominations, it was moved by Comm. Candido and seconded by Comm. Eisenhandler to close the nominations. Motion carried unanimously.

The secretary was asked to cast one ballot to elect Comm. Jagoe as Chair of the Board of Police Commissioners.

It was moved by Comm. Candido and seconded by Comm. Marrone to nominate Comm. Bergami as Vice Chair of the Milford Board of Police Commissioners.

Being no further nominations, it was moved by Comm. Candido and seconded by Comm. Eisenhandler to close the nominations.

The secretary was asked to cast one ballot to elect Comm. Bergami as Vice Chairman of the Board of Police Commissioners.

Chief Mello congratulated Chair Jagoe and Vice Chrmn. Bergami. He stated he has enjoyed working with this Board and took the opportunity to welcome back Comm. Candido and he added he is looking forward to working with each of them.

Chair Jagoe thanked the members for their vote of confidence and added she too is looking forward to working with each of them and Chief Mello and Deputy Chief Fournier.

2. CONSIDERATION OF APPOINTMENTS - none

3. CITIZEN COMMENTS

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Chair Jagoe recognized Attny. Tramuta and Mr. Christofakis, owner of Greg's Auto Body, and informed them that their request is listed on the agenda and asked if they would object to deferring their comments to Old Business. Attny. Tramuta stated that would be fine.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

It was moved by Comm. Wanosky and seconded by Comm. Faruolo to approve the minutes of the meeting held on Monday, December 13, 2010 as presented. Motion carried unanimously.

5. READING OF CORRESPONDENCE

Chief Mello shared the following correspondence:

Ron and Judy Kilinski, Milford resident – commended Det. Salati and another officer who responded to a 12/16/10 call regarding a break in at their home. They stated the officers were thorough and professional and both should be commended on their good work.

James Uebelacher – Cornflower Rd., Milford – noted a few years ago he was parked at the train station near a sign indicating parking was permitted at that location. Nonetheless he was ticketed and after contesting the ticket because of the signage, it was eventually voided and he felt the officer could have communicated that he had made a mistake. He stated he was not pleased with the actions of the MPD until most recently when he was involved in a motor vehicle incident and the person who hit his car left the scene. He noted his wife did see the license plate of the vehicle who hit him, and after he reported the incident, Officer Thornberg responded. He stated he was very professional and courteous within a short while the officer came to his home and provided the identification and address of the woman who hit his car. The actions and service of Officer Thornberg impressed him and he cited the Department's goal of exemplary level of service and stated that Officer Thornberg embodied just that.

John Carissimi, Wildemere Beach Assoc. – commended the MPD for their quick response to a situation which occurred at 175 Broadway at a private party on New Years Eve. He stated the party spawned the beginning of an altercation spilling the actions out into the street and involving a number of people; however, the speedy arrival of the Milford officers resulted in the diffusion of a volatile situation. He stated he was grateful for the fine work and special attention given to the safety of the neighborhood.

Chief Mello added this incident required our department receiving assistance from another department since it involved a large group of people and it was a very busy night.

6. CONSIDERATION OF REPORT OF CHIEF ON MATTERS OF ADMINISTRATION

a. Accident Free Mileage awards to Lt. S. Darby, Det. T. Bassett, Sgt. J. DellaMonica, Sgt. P. Tierney, Officer G. DelMonte, Officer B. Rojee and Officer K. Ruggiero - Accident free mileage award to Officers Kevin Walsh, Moreno and Det. Broderick - It was moved by Comm. Candido and seconded by Comm. Marrone to award eight hours of comp time

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for an accumulation of 12,000 accident-free miles with no safety violations to the above noted officers. Motion carried unanimously.

7. REPORT ON PLANNING AND ZONING REQUESTS

- a. Jeffrey's Restaurant Expansion – 501 New Haven Avenue – It was moved by Comm. Faruolo and seconded by Comm. Wanosky to approve the expansion of Jeffrey's Restaurant as recommended by P & Z. Motion carried unanimously.
- b. Millwood Properties – 141-159 Merwin Avenue – Conversion to 6 one-bedroom apartments – It was moved by Comm. Eisenhandler and seconded by Comm. Marrone to approve the conversion to 6 one-bedroom apartments at 141-159 Merwin Avenue, Millwood Properties, as recommended by P & Z. Motion carried unanimously.

8. ACCEPTANCE OF REPORTS

- a. Uniform Crime Report
- b. Youth Bureau Report
- c. Crime Prevention Services Report
- d. Detective Bureau Cases Report

Chair Jagoe noted the reports of items a, b, c and d were included in the Commissioners packets.

It was moved by Vice Chrmn. Bergami and seconded by Comm. Eisenhandler to accept reports a, b, c and d as presented. Motion carried unanimously.

9. UNFINISHED BUSINESS

- a. Greg's Auto Body – Tow List Request – it was moved by Comm. Faruolo and seconded by Comm. Wanosky to remove from the table Greg's Auto Body – Tow List Request. Motion carried unanimously.

Deputy Chief Fournier deferred to Attny. Tramuta who was present on behalf of Chris Christofakis, owner of Greg's Auto Body.

Attny. Tramuta explained that in July 2010 they came before this board requesting approval to be placed on the department's tow list and at that time there were some issues that arose which they have attempted to address; specifically criminal record and other pending DMV matters. At a subsequent meeting which they attended, it was suggested that perhaps Greg's Auto Body could be put on a 90 day probationary period if and when those pending matters were cleared. He stated this matter has been on the table since September 2010 .

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Attny. Tramuta referred to the motor vehicle complaints noting he had a letter from Mr. Pisani of the DMV who reports nothing is pending and every matter filed against Greg's Auto Body is closed.

Attny. Tramuta referred to the family matter pending in Stamford Superior Court noting the matter listed on the Family Docket involves a family conflict within the Christofakis family. He shared with the Board a letter from Attny. Ralph A. Romano who noted in an attempt to resolve this matter, Mr. Christofakis took responsibility and entered a plea under the Alford Doctrine (not admitting guilt by acknowledging the state has enough information to bring a case against him) to a misdemeanor on November 12, 2010. Further, it noted the plea called for a dollar amount in restitution is paid to another family member and Attny. Romano's office is in possession of the funds provided by Mr. Christofakis to resolve the restitution and this matter will be disposed of on January 18, 2011. The letter also stated that the disposition of this case does not require a period of probation.

Attny. Tramuta also shared a copy of the check made out to the victim for restitution. He added that Greg's Auto Body is currently on the state's towing list as of 12/7/10.

Comm. Candido asked if the family matter was a domestic in nature and he was told it was not and there were no further recommendations for Family Relations involvement.

Chief Mello stated that as of this date, there is still a pending case and that will be so until January 18, 2011. He added if this meeting was held after that date then officially there would be no cases pending.

Attny. Tramuta explained the court continued the matter until 1/18 in order for Mr. Christofakis to come up with the funds for restitution. He stated the incident occurred in 2008 and there is no reason to think it will not be disposed of on the court date of 1/18/11.

Vice Chrmn. Bergami asked if the payment was in the form of a certified or bank check and he was told it was a bank certified check.

Chief Mello reiterated the case is still a pending case and he was not disputing what is in the letter but one of the requirements that were put forth when this matter was tabled was that all matters be disposed of.

Deputy Chief Fournier noted that at a previous meeting we discussed the abnormal number of police calls to Greg's Auto Body adding the calls were for civil, breach or disturbance matters over a three-year period. Deputy Chief Fournier went on to say that after an analysis over a 3 year period and comparing such calls to other similar businesses, the number of calls for Greg's Auto Body was substantially higher. He explained there was a mix of calls, some from the business and some from people calling about damage to their vehicle or other civil or breach matters. Deputy Chief Fournier also referred to the mutual agreement for a previous 90 day suspension off the state's towing list based on similar complaints.

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Deputy Chief Fournier informed the members that on 12/10/10 the department responded to Greg's Auto Body regarding a breach of peace incident noting the altercation occurred between Mr. Christofakis and an employee but neither party chose to pursue pressing charges. He explained further that an officer viewed the surveillance video from Greg's Auto Body and the tape showed Mr. Christofakis shoving the man, allegedly and employee, and becoming physical with him.

Attny. Tramuta stated there were no charges filed and the story is one-sided and prejudicial. He referred to the fact that they went through each police call previously made and identified them and most were people that were disgruntled about their tow. He also stated he did not know how many calls had been made since their first meeting with this board. Attny. Tramuta noted there was an employee he had problems with which brought about the 90 day voluntary suspension from the state's list. He added the 12/10 incident referred to was an employee who was felt to be an unstable individual and there was an incident where he threatened Mr. Christofakis and Mr. Christofakis pushed him.

Chief Mello explains that arrests are based on a sworn statement or if such an incident happens in the officer's presence, unless the officer has probable cause to make an arrest there would not be an arrest other than in the case of a domestic issue.

Chief Mello stated the focus should be that there is still a pending case and this board must decide who they would want to represent the city with a towing responsibility. He noted with regard to the December issue, the officer viewed the video and saw Mr. Christofakis pushing someone down whether there was an arrest or not.

Chief Mello recommended to the commission to deny the request to place Greg's Auto Body on the towing list for the city.

Chair Jagoe asked the commissioners if they felt they had enough information to make a decision on this request at this time.

It was moved by Vice Chair Bergami and seconded by Comm. Eisenhandler to consider Chief Mello's recommendation regarding the request for Greg's Auto Body to be placed on the tow list and at this time deny that request. Motion carried unanimously.

10. NEW BUSINESS

- a. Woodmont Road/Research Drive/Eastern Steel Rd – traffic light timing issue – It was moved by Comm. Faruolo and seconded by Comm. Candido to accept the recommendation of the Traffic Division regarding Woodmont Road/Research Drive/Easter Steel Rd – traffic light timing issue. Motion carried unanimously.
- b. Gulf St. near Welches Point Rd. – Speeding Issues – requested by Jane Coutts – It was moved by Comm. Candido and seconded by Comm. Wanosky to accept the recommendation of the Traffic Division regarding Gulf St. near Welches Point Rd. – Speeding Issues. Motion carried unanimously.

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11. COMMENDATIONS - none

12. CONSIDERATION OF REPORT OF CHIEF OF POLICE ON MATTERS CONCERNING THE APPOINTMENT, EMPLOYMENT, PERFORMANCE, EVALUATION AND HEALTH OR DISMISSAL OF DEPARTMENT EMPLOYEES

It was moved by Vice Chrmn. Bergami and seconded by Comm. Marrone to adjourn to Executive session at 7:35 p.m. for matters 1 and 2 as listed and the addition of item 3 as follows:

1. Consideration of the performance of 5 employees.
2. Consideration of sick time extension and benefit for one employee.
3. Grievance #2010-06

Motion carried unanimously.

Present in executive session were the Commissioners, Chief Mello and Deputy Chief Fournier. Also present were Officers Doyle and Lima for item c. Grievance #6-2010. Officers Doyle and Lima joined executive session at 7:48 p.m. and left executive session at 8:15 p.m.

It was moved by Comm. Wanosky and seconded by Comm. Faruolo to reconvene in public session at 8:30 p.m. Motion carried unanimously.

It was moved by Vice Chrmn. Bergami and seconded by Comm. Wanosky to deny Grievance #2010-06. Motion carried unanimously.

It was moved by Vice Chrmn. Bergami and seconded by Comm. Wanosky to accept the Chief's recommendation regarding the performance of 5 employees. Motion carried unanimously.

It was moved by Vice Chrmn. Bergami and seconded by Comm. Faruolo to extend 30 days of sick time plus 1,000 hours from the sick benefit fund for one employee as recommended by the Chief. Motion carried unanimously.

It was moved by Vice Chrmn. Bergami and seconded by Comm. Marrone to adjourn at 8:32 p.m. Motion carried unanimously.

Respectfully submitted,

Diane Candido, Secretary