

**MINUTES OF BOARD OF POLICE COMMISSIONERS MEETING
HELD MONDAY, JUNE 9, 2008
COMMISSIONERS ROOM – POLICE HEADQUARTERS**

Chrmn. Fellenbaum called the meeting to order at 7:03 P.M.

1. ROLL CALL

COMMISSIONERS PRESENT: Carol Faruolo; Kenneth Fellenbaum; Sharon Marrone; Thomas Zawislinski; Carlton Giles

ALSO PRESENT: Police Chief Mello; Deputy Chief Fournier; L. Stock, Secty; P. Vetro, Board of Aldermen; K. Patterson, Planning & Zoning Board Liaison

2. CONSIDERATION OF APPOINTMENTS

None

3. CITIZEN COMMENTS

Chrmn. Fellenbaum welcomed those present and asked those who wished to speak to limit their comments to 3 minutes and discuss only items under the purview of the Commission.

Billy Lipsky, 27 Milford Point Road, stated he was involved in keeping the Caswell Cove Point open to the public. However, regarding comments made by others that the Police Department does not respond to calls, etc., he noted he has fished in the area in question for 20 years and there have hardly been any problems. He feels the comments about the department are outrageous.

Secondly, he stated he was present before the Commission for a second time regarding misconduct of one of the Commissioners. He referred to case #03139, harassing DEP personnel. He spoke with Off. Wolf of the DEP today, who stated the claims were completely unfounded. Mr. Lipsky noted that on May 11, his neighbor observed Comm. Zawislinski on private property. The property owner, Mr. Benton, told Comm. Zawislinski that it was his private property; however, Comm. Zawislinski believed it to be DEP property. On May 18, Comm. Zawislinski was again fencing off private property. At that time, Mr. Lipsky told Comm. Zawislinski that they (the neighbors) called the DEP to put up fences when they see nests. On May 21, someone from the DEP came to his home.

Chrmn. Fellenbaum asked what the Commission could do for Mr. Lipsky, who responded that he wanted to know where he should go to have Comm. Zawislinski removed from the Commission. He did not think it appropriate that Comm. Zawislinski sit and make judgment on others when he disrespects the law. He continued that the Federal Wildlife DEP showed up at his door with guns, and” then they yelled at Tom Zawislinski for trespassing.”

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Chrmn. Fellenbaum informed Mr. Lipsky that the Mayor appoints the Commissioners who are then approved by the Board of Aldermen. The Commission does not dismiss or approve any Commissioners. He suggested that perhaps there was a misunderstanding. However, Mr. Lipsky responded in the negative, and stated Comm. Zawislinski was trespassing. He again asked who he should see, perhaps the media, or would they prefer to keep this issue "in house." He stated he was present this evening in order to resolve the problem.

Chrmn. Fellenbaum stated there were many issues regarding property lines and he does not know where this item should be referred as it is not under the purview of the Commission and they do not rule on each other. Mr. Lipsky stated he will go to the Mayor.

Atty. George Adams, 300 Bic Drive, stated he was present regarding item 7b, Lynne Acres, 132 Yale Avenue, an 8 lot subdivision. Previously, this application was denied without prejudice. The applicant has since changed engineers (Codespoti and Associates) and new plans have been resubmitted. Bob Whewey of Codespoti believes that a stop sign should be placed at the southbound end of Yale Avenue. He sent a letter explaining same to Sgt. Sharoh of Traffic, who disagreed. Atty. Adams stated that they were asked to align Linden Drive and Devine Place. However, he displayed plans from 1992, depicting the original subdivision in the Linden Drive area, which showed this was not feasible. They were working with the property that was left from an earlier subdivision. Regarding the stop sign, their new engineer believes there is a safety issue as they cannot realign the road.

Chrmn. Fellenbaum thanked the attorney for attending the meeting and explaining.

Phil Vetro, Alderman, 10 Carmen Road, stated he was present regarding two issues. First, he again invited the Department to the next Board of Aldermen meeting where they will be discussing Caswell Cove. He explained that the Board of Aldermen referred the matter to all other departments in the city for their input.

Secondly, he noted he came from a Council on Aging meeting, whose members were complaining about illegally parked vehicles on High Street in the vicinity of the Catholic Services building. They are parking on the sidewalk and blocking driveways. He suggested that perhaps the department could pay particular attention to that area. Chrmn. Fellenbaum asked if there were any specific times that the parking issues occurred to which P. Vetro responded in the negative. In addition, one of the committee members told P. Vetro that those that are parking illegally don't care because the fine is only \$5.

Chief Mello stated that they changed the category for illegal parking and the fine will now be \$10. If the fine is not paid, their registration will be suspended. Regarding Caswell Cove, they will attend the meeting. Chief Mello has spoken to many residents and some elected officials and they do not see many problems in the area. There were

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approximately 51 calls in three years, which were mostly minor in nature; i.e., youth hanging around or fishermen lighting fires to cook their fish.

P. Vetro stated they are making an issue of the Police Department not responding to their calls. He does not feel a gate will prevent fires or keep the public out of the public access.

Chief Mello felt that perhaps the kids hanging out are a problem for the residents, but his personal opinion is that things can be handled through enforcement.

P. Vetro is concerned that if a gate is installed and there is a medical emergency, they would not be able to get through.

KathyLynn Patterson, Planning and Zoning Board Liaison, thanked the Department and Commission for submitting their reports to the Planning and Zoning Board prior to their review of a project.

Comm. Zawislinski asked to speak regarding Mr. Lipsky's comments. He stated that Mr. Lipsky's issue had nothing to do with the Commission nor with the City of Milford. He noted "the individual has no authority." According to Comm. Zawislinski, the United States Fish and Wildlife Service of the DEP (of which he and his wife are volunteers), subjects its volunteers to strict training and they know what they can and cannot do. Regarding the instances Mr. Lipsky was complaining about, it was Mr. Lipsky who chased two DEP employees away from the Coastal Center and they filed the complaint and that is why there were two agents at his door.

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Comm. Giles and seconded by Comm. Faruolo to approve the minutes of the May 12, 2008 meeting. The motion carried unanimously.

5. READING OF CORRESPONDENCE

Chief Mello asked that Linda Stock read the correspondence she sent to the Chief regarding the Department.

As Zoning Enforcement Officer, L. Stock was working on a "contempt" case which required a Spanish speaking officer. She thanked the Department for their cooperation, and especially Off. Cortes, who translated for a Spanish speaking gentleman. She was impressed by the precision with which the department operated when she called for Off. Cortes assistance. She also thanked the department for the respect shown her and her position.

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Chief Mello received a letter from Mrs. Josephine Covino of Bridgeport. On May 24, 2008 at approximately 9:00 P.M., her car broke down and an officer stayed with her until help arrived.

A noted was received from Denise Morris Curt thanking the following “stellar group” for their assistance during her recent craft fair: Off. McCormack; Sgt. DellaMonica; Sgt. Sharoh; Off. Lugo; Off. Simko; and Off. DeMerjian.

The Chief received a letter from Thomas E. Flaherty, Executive Director of the Meriden Police Academy thanking the department for allowing Off. McCollum to participate in lock up training. He stated that this is only possible with talented graduates who return to assist with this training and he is grateful for Off. McCollum’s participation.

Trumbull Police Chief Thomas Kiely, sent a letter commending Off. James Kiely. On May 12, 2008, Trumbull Police Officer Smith was dispatched to the Homegoods store on Hawley Avenue where someone was exposing himself to the customers. When the person saw Off. Smith starting to approach him, he ran to the exit doors. Although off duty, Off. Kiely placed himself in the path of the suspect, knocking him down and detaining him for Off. Smith. He was then handcuffed and apprehended. Chief Kiely sends his sincere thanks and appreciation to Off. Kiely for assisting a “brother officer.”

A thank you card and Dunkin’ Donut gift card was received from Keif Doyle. Off. Christopher Doyle found and returned Mr. Doyle’s wallet to him in West Haven. Chief Mello will send Mr. Doyle a letter thanking him and returning the gift card, explaining that they cannot accept gifts of any kind.

On behalf of the Milford Striped Bass Club, President Robert Jadach, Jr., sent a letter to the Mayor with a copy to the Chief in opposition to blocking the access by road or the parking area to the Housatonic River in the Caswell Cove area. He asked that they insure that this area remains open to the public.

Gene Fitzpatrick sent a letter to the Chief, also regarding the public access at the point at Caswell Cove. He congratulated the department for keeping East Broadway open to the public. He believed the Caswell Cove issue was similar. He lives in Caswell Cove and believes the claims are exaggerated. He suggested that they read the Caswell Cove Association minutes where they will find that the chief issue is that they want more parking for marina slip owners.

6. CONSIDERATION OF REPORT OF CHIEF ON MATTERS OF ADMINISTRATION

- a. Off Duty Weapon Authorization for Lt. Joseph Pietrafesa

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The Chief noted that Lt. Pietrafesa is qualified with the weapon and the weapon has been checked. He recommends approval.

It was moved by Vice Chrmn. Giles, seconded by Comm. Faruolo and unanimously carried to adopt the Chief's recommendation.

b. Off Duty Weapon Authorization for Detective Frank Gall

The Chief stated that the weapon has been checked and Off. Gall is qualified with the weapon. He recommends approval.

It was moved by Comm. Zawislinski, seconded by Vice Chrmn. Giles to adopt the Chief's recommendation.

c. Consideration of donation from Milford Lions Club

Chief Mello informed the Commission that the Lions Club donated \$1,000 to the Fire Department and \$1,000 to the Police Department, to be used any way they saw fit. The Chief recommended that \$500 be used for next year's Citizen's Police Academy and \$500 for the D.A.R.E. program.

A motion to approve the Chief's recommendations carried unanimously after being made by Comm. Zawislinski and seconded by Vice Chrmn. Giles.

7. REPORT ON PLANNING AND ZONING REQUESTS

a. Bridgeport Flyer Diner – 249 Bridgeport Avenue

It was moved and seconded by Comms. Zawislinski and Faruolo to adopt traffic's recommendations for this item. The motion carried unanimously.

b. Lynn Acres – 132 Yale Avenue

It was moved and seconded by Comms. Zawislinski and Faruolo to adopt traffic's recommendations. The motion carried unanimously.

c. Point View Condominiums – 232-256 Melba Street

It was moved and seconded by Comms. Zawislinski and Faruolo to adopt traffic's recommendations for this item. The motion carried unanimously.

d. Milford Fabricating - 46 Erna Avenue

It was moved and seconded by Comms. Zawislinski and Faruolo to adopt traffic's recommendations. The motion carried unanimously.

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Regarding the above reports, Chrmn. Fellenbaum asked how the applicants will be notified of the Commission's decisions. Chief Mello explained that the Traffic Division will inform the person involved by letter or telephone. Addressing Atty. Adams, Chief Mello stated that if there are any changes in the plans, they have to be re-submitted, they cannot make an addendum to the current plans. Atty. Adams responded that he merely wanted to explain their submission.

8. ACCEPTANCE OF REPORTS

- a. Uniform Crime Report
- b. Youth Bureau Report
- c. Crime Prevention Services Report
- d. Detective Bureau Cases Report
- e. General Highway Safety Summary

It was moved by Comm. Zawislinski, seconded by Vice Chrmn. Giles and unanimously carried to accept reports "a" through "e."

9. UNFINISHED BUSINESS

None

10. NEW BUSINESS

None

11. COMMENDATIONS

None

At 7:45 P.M., it was moved by Vice Chrmn. Giles, seconded by Comm. Faruolo and carried by roll call vote to enter into Executive Session to discuss items 12a and b. Chief Mello and Deputy Chief Fournier were asked to remain.

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

- a. Probationary Reviews – None
- b. Consideration of the performance of 3 employees

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The Commission left Executive Session at 8:05 P.M. at which time Vice Chrmn. Giles moved to adjourn. The motion was seconded by Comm. Zawislinski and carried unanimously.

Respectfully submitted,

Linda Stock, Secretary