

**MINUTES OF BOARD OF POLICE COMMISSIONERS MEETING
HELD MONDAY, AUGUST 9, 2010
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, Melvin Eisenhandler, Carol Faruolo, Alberta Jagoe, Sharon Marrone, Jerold Wanosky

COMMISSIONERS NOT PRESENT: C. Giles

ALSO PRESENT: Police Chief Mello; Deputy Chief Fournier; P. Vetro, Board of Aldermen; D. Candido, Secty.

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

2. CONSIDERATION OF APPOINTMENTS - none

3. CITIZEN COMMENTS

Ald. P. Vetro – 10 Carmen Rd. – on behalf of the Board of Aldermen, he thanked the Police Dept. for the successful contract negotiations which had a good outcome for both sides. Also, he expressed his appreciation for the consideration of the issue on Watrous Lane.

It was moved by Comm. Bergami and seconded by Comm. Marrone to add to the agenda item 9 a, Consideration of Greg's Auto Body to be placed on Rotational Tow List. Motion carried unanimously.

Vice Chrmn. Jagoe asked both Attny. Tramuta and Mr. Christofakis (owner of Greg's Auto Body) if they wanted to address the Commission at this time and they both agreed they would reserve comment until the matter was up for discussion.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

It was moved by Comm. Faruolo and seconded by Comm. Wanosky to approve the minutes of the July 12, 2010 meeting as presented. Motion carried unanimously.

5. READING OF CORRESPONDENCE

Chief Mello shared the following correspondence:

R. Sebas, resident – as a disabled person attending Woodmont Day events, he expressed his appreciation for the assistance of an officer who provided him mobility assistance .

R. Mihaley, Stratford resident – acknowledged the assistance of Officer Taylor and noted he is a fine officer who represents his department well.

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Deanna McLenahan – Wepawaug Valley Day Program Scout Coordinator –expressed appreciation for the Police Department’s participation, sharing of beneficial information and providing a memorable experience to those cub scouts who attended a summer program on 7/21/10 at Eisenhower Park.

6. CONSIDERATION OF REPORT OF CHIEF ON MATTERS OF ADMINISTRATION

a. Donation of \$80 from car seat clinic – Chief Mello reported that Officer Salas had been one of the department’s car seat installers and in that role he had received \$80 in solicited donations. It was Chief Mello’s recommendation to apply that donation to the Canine Unit.

It was moved by Comm. Wanosky and seconded by Comm. Marrone to apply the \$80 donation to the Canine Unit as recommended by Chief Mello. Motion carried unanimously.

Chief Mello noted that Officer Salas recently relocated out of state and his role as an officer will be missed.

b. Donation of \$120 from Charles St. James (Lincoln City, Oregon) – Chief Mello reported Mr. St. James was grateful for the outstanding consideration and caring of the department and made a \$120 donation. Chief Mello recommended this donation be applied to the Canine Unit.

It was moved by Comm. Faruolo and seconded by Comm. Wanosky to apply the \$120 donation from Charles St. James to the Canine Unit as recommended by Chief Mello. Motion carried unanimously.

c. Donation of \$100 from Catherine Ross - Chief Mello stated that Mrs. Ross was grateful for the response of the department to her home and a series of events that followed and made a \$100 donation. Chief Mello recommended this donation be applied to the Canine Unit.

It was moved by Comm. Wanosky and seconded by Comm. Bergami to apply the \$100 donation from Catherine Ross to the Canine Unit as recommended by Chief Mello. Motion carried unanimously

d. Accident free mileage award to Officers Kevin Walsh, Moreno and Det. Broderick - It was moved by Comm. Faruolo and seconded by Comm. Marrone to award eight hours of comp time for an accumulation of 12,000 accident-free miles with no safety violations to Officers Kevin Walsh, Moreno and Det. Broderick. Motion carried unanimously.

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7. REPORT ON PLANNING AND ZONING REQUESTS

- a. 329 Old Gate Lane – Popeye’s Chicken – It was moved by Comm. Faruolo and seconded by Comm. Wanosky to approve the request for Popeye’s Chicken, 329 Old Gate Lane as recommended by P & Z.

Comm. Faruolo noted Popeye’s Chicken will not require a new building structure and will replace a former fast food establishment. She added that contrary to the notes in the report, there will only be one access driveway.

Motion carried unanimously.

- b. White Oaks Terrace – Affordable Housing – It was moved by Comm. Bergami and seconded by Comm. Marrone to approve the request for Affordable Housing on White Oaks Terrace as recommended by P & Z.

Comm. Faruolo noted this request has come before this Commission on three different occasions; however, at this time they are specifying sidewalks heading toward High Street and also the project has been scaled down from 62 to 24 units.

Motion carried unanimously.

- c. Christ the Redeemer Church expansion – 325 Oronoque Road – It was moved by Comm. Wanosky and seconded by Comm. Faruolo to approve the request for Christ the Redeemer Church expansion as recommended by P & Z.

Comm. Faruolo added there is sufficient space for this expansion and the plans submitted appeared very nice.

Motion carried unanimously.

- d. CVS Pharmacy – 734 Bridgeport Avenue – It was moved by Comm. Wanosky and seconded by Comm. Marrone to approve the plan for CVS Pharmacy at 734 Bridgeport Avenue 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
- e. General Highway Safety Summary

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Vice Chrmn. Jagoe noted these reports were included in the Commissioners packets.

It was moved by Comm. Faruolo and seconded by Comm. Marrone to accept reports A through E as presented. Motion carried unanimously.

9. UNFINISHED BUSINESS

a. Greg's Auto Body – request to be on Rotational Tow List (tabled 7/12/10)

It was moved by Comm. Wanosky and seconded by Comm. Bergami to remove from the table Greg's Auto Body – request to be on Rotational Tow List (tabled 7/12/10). Motion carried unanimously.

Attny. Tramuta (Moynahan & Minnella Law Office), counsel representing Chris Christofakis (owner of Greg's Auto Body) were present. Attny. Tramuta explained since last month he had the opportunity to review the reports regarding police presence at the body shop. He noted the majority of the issues were based on customer reaction to the process of being towed and the costs involved. He noted there were many calls but he was unsure of how many actually resulted in arrests. Further, he stated the reports include officer's comments which were mostly one-line statements briefly explaining the nature of the incident.

Regarding the pending DMV matters, Attny Tramuta stated there is one DMV case that has been released and closed and to his knowledge the remaining issues are in the process of being resolved or have been resolved.

Attny. Tramuta referred to the incident occurring at the Greenwich Probate Court and he read a letter which was a request to have the matter removed from the jury docket. He explained Mr. Christofakis agreed to make restitution for the costs involved with the dispute which involved an estate matter. This matter has been resolved and there will not be any probation.

Attny. Tramuta referred to the 5/26/10 boat towing incident and he clarified that Mr. Christofakis was not the person who was towing the boat but in fact he had hired someone to tow the boat and that individual did not secure the proper requirements for the tow.

With regard to the seat belt violation, Attny. Tramuta explained it was purely a fact that Mr. Christofakis was not able to get the seat belt on and he has since made accommodations to get a custom made extended seat belt and if that doesn't work, he will not drive that vehicle at all.

Again Attny Tramuta emphasized Mr. Christofakis' involvement in the community and the fact that he participates in a number of charity events. He added there

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are negatives in his past but there is room for redemption. Attny. Tramuta recommended his client be given a 3-month probationary period on the department's rotational towing list, being monitored closely and if there are any further incidents involving arrests or police presence at his business, his business relationship be suspended.

Deputy Chief Fournier referred to the number of police calls to the body shop and stated he researched back three years and within the past three years there had been 25 calls for civil investigation/breach of peace. He compared that to other towing garages on the rotational towing list and the number of police calls to those businesses ranged from 0-7 over the same time period. Deputy Chief Fournier expressed his concern regarding the ability of Mr. Christofakis to deescalate problems involved with the towing process. He stated he agrees that people can redeem themselves and he would like to see that happen. In that vain, Deputy Chief Fournier explained he has spoken with Chief Mello regarding a possible probationary opportunity but before that can be considered, it will be necessary to see that problems such as what has occurred in the past are totally resolved and dismissed.

Chief Mello referred to the reports filed by officers who were called to the body shop and stated they were not law enforcement problems but civil matters and that was why the reports included one-line statements. He stated if this Commission is to consider some type of probationary period, there would need to be copies of verified dispositions from the courts and verifications that any DMV issues have been resolved. Chief Mello emphasized any criminal convictions or incidents of the like, will result in permanently suspending and removing Greg's Auto Body from the rotational towing list.

Comm. Wanosky asked how long the business had been on the state police towing list and he was told three years.

Vice Chrmn. Jagoe asked if the complaints which resulted in police presence at the body shop were against Mr. Christofakis or another employee.

Attny. Tramuta stated he has spoken with the staff members who explained that they had not acted properly on occasion; also one of the incidents involved a female staff member who had been repeatedly harassed by a customer.

Comm. Faruolo agreed with Chief Mello's recommendation that everything be cleared before the Commission moves forward on this consideration.

Chief Mello stated in addition to all matters being disposed of or dealt with, it is important for Mr. Christofakis to understand that if approved for the towing list, he will be working as a contractor of the department and as long as that relationship remains strong and constant there should be no problem.

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Comm. Wanosky asked how many matters need to be resolved and in what time frame.

Attny. Tramuta felt that one month should be sufficient to resolve the two outstanding issues.

It was moved by Comm. Wanosky and seconded by Comm. Faruolo to table the request of Greg's Auto Body to be on the Rotational Tow List until such time that verification that all pending matters are resolved. Motion carried unanimously.

Attny. Tramuta and Mr. Christofakis thanked the Commission for the opportunity to clarify issues and for their time.

10. NEW BUSINESS

a. Speeding and traffic issues – West River/Flax Mill La/Fresh Meadow – Roger Milson – Chief Mello explained based on a review from the Traffic Division, the department has recommended to the State Traffic Control that the speed limit be lowered.

It was moved by Comm. Bergami and seconded by Comm. Marrone to accept the review and recommendations of the Traffic Division to lower the speed limit on West River/Flax Mill/Fresh Meadow. Motion carried unanimously.

b. Watrous Lane/Brewster Road – sightline issues, speeding, parking – Chief Mello noted this matter had been reviewed and revisited a number of times and after the last review, the residents in the area were not in agreement with the proposal. Since then, members of the Traffic Division and Capt. Mooney have met with the residents who are now in agreement with the recommendation to add no parking signs to the resident side of the street, post new signage, increase no parking fines in the area, remove tree on residential property on 146 Brewster Road.

It was moved by Comm. Wanosky and seconded by Comm. Bergami to accept the recommendation of the Traffic Division for purpose of discussion.

Comm. Wanosky noted this issue has been a controversy for a long while, adding it had gone before the Board of Education and Board of Aldermen in the past. He felt every consideration that could be considered has been presented especially with the most recent effort of the department. He added the neighbors are satisfied with the recommendation and understand they too will be giving up parking space on the street.

Vice Chrmn. Jagoe added the problem seems to be seasonal in nature since it only seems to be an issue during the baseball season but since the residents have agreed, it is a good solution.

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Comm. Bergami asked if there was an accident history regarding the sight line issue because of the tree and Chief Mello stated there are no reports on file.

Motion carried unanimously.

Chief Mello added it is likely that seasonal enforcement will occur on its own in this area.

c. Bayshore Drive – request for 3-way stop sign due to sightline obstructions – Chief Mello reported that it is the recommendation of the Traffic Division that no new stop signs are needed in this area. He added the fence has been removed, the hedges have been cut and the 25 mph speed limit falls in the 85 percentile.

It was moved by Comm. Wanosky and seconded by Comm. Bergami to accept the recommendation of the Traffic Division regarding Bayshore Drive – request for 3-way stop sign due to sightline obstructions. Motion carried unanimously.

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

a. Quarterly review for Officer R. Pisani

b. Consideration of the performance of 2 employees

It was moved by seconded by Vice Chrmn. Jagoe and seconded by Comm. Wanosky to adjourn to Executive session at 7:40 p.m. for the following:

Motion carried unanimously.

In attendance in executive session were the Commissioners, Chief Mello and Deputy Chief Fournier.

[Note: Comm. Eisenhandler and Ald. Vetro left the meeting at 7:40 p.m.]

Vice Chrmn. Jagoe reconvened the meeting in public session at 8:06 p.m.

It was moved by Comm. Bergami and seconded by Comm. Marrone to uphold the recommendation of Chief Mello regarding the consideration of the performance of 2 employees. Motion carried unanimously.

Discussion ensued regarding conflicts with the meeting date in September. It was decided to reschedule the September 2010 meeting to Wednesday, September 8, 2010.

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It was moved by Comm. Bergami and seconded by Comm. Wanosky to adjourn at 8:08 p.m. Motion carried unanimously.

Respectfully submitted,

Diane Candido, Secretary