



# City of Ansonia

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Ansonia, Connecticut 06401

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ANSONIA, CONNECTICUT

## BOARD OF POLICE COMMISSIONERS TRAFFIC AUTHORITY

REGULAR MEETING  
Wednesday, September 7, 2011  
5:00 PM  
Erlingheuser Room

### MINUTES

#### CALL TO ORDER

Chairman Nicholas L. Amico called the meeting to order at 5:00 PM.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

All those present rose for the pledge of allegiance.

#### ROLL CALL

At the request of the Chairman, the Recording Secretary called the roll. The following Commissioners were present.

NAME	PRESENT	ABSENT	EXCUSED
Commissioner Nicholas L. Amico	X		
Commissioner Ann Pitney	X		
Commissioner David Casseti	X		
Commissioner Bob Goldson	X		
Commissioner Frank Tyszka	X		

Also in attendance:  
Chief Kevin Hale

Recording Secretary recorded five (5) Commissioners present at the time of the roll call. The Chairman declared a quorum and proceeded with the agenda of the meeting.

**APPROVAL OF MINUTES**

Chairman Amico asked for a motion to accept the minutes of the July 6, 2011, Regular Meeting. Commissioner Tyszka made a motion to accept the July 6, 2011 Regular Meeting minutes as written. Commissioner Goldson seconded the motion. All in favor, motion carried.

COMMISSIONER	Motion Made	Seconded Motion	Yes	No	Abstained	Absent
Nicholas L. Amico (Chair)			X			
Ann Pitney			X			
David Cassetti			X			
Bob Goldson		X	X			
Frank Tyszka	X		X			

Chairman Amico asked for a motion to accept the minutes of the July 20, 2011, Special Meeting.

Commissioner Pitney made a motion to accept the July 20, 2011 Special Meeting minutes as written. Commissioner Cassetti seconded the motion. All in favor, motion carried.

COMMISSIONER	Motion Made	Seconded Motion	Yes	No	Abstained	Absent
Nicholas L. Amico (Chair)			X			
Ann Pitney	X		X			
David Cassetti		X	X			
Bob Goldson			X			
Frank Tyszka			X			

At this time Chief Hale introduced a special guest to the Commissioners – Michael Castillo. Michael Castillo is from Fishkill, New York and has gone through the hiring process. He currently is working two jobs and has passed everything. His background check is OK and he has impressed everyone. The plan is to get approval this evening so the Board of Aldermen can approve the appointment at their meeting on Tuesday so Mr. Castillo can start the Academy in the October 7, 2011 class. Chief Hale asked for the Commission’s approval to forward him to the Mayor for nomination by the Board of Aldermen at their meeting September 13, 2011.

Mr. Castillo gave a brief history of himself and his family to the Commissioners. He said he is looking forward to joining Ansonia's police department.

Commissioner Cassetti welcomed him to Ansonia.

Chairman Amico asked for a motion to recommend acceptance of Michael Castillo as a candidate for the position as Police Officer to join the Ansonia Police Department and forward him to the Mayor and the Board of Aldermen for approval so he can begin the Academy on October 7, 2011.

Commissioner Cassetti made a motion to accept Michael Castillo as a candidate for Police Officer and recommend approval to the Mayor and the Board of Aldermen. Commissioner Pitney seconded. All in favor, motion carried.

COMMISSIONER	Motion Made	Seconded Motion	Yes	No	Abstained	Absent
Nicholas L. Amico (Chair)			X			
Ann Pitney		X	X			
David Cassetti	X		X			
Bob Goldson			X			
Frank Tyszka			X			

**PUBLIC SESSION**

Chairman Amico asked if there was anyone present who wished to speak during the public session.

**Ken Plavnicky**  
**15 Mountain View Road**  
**Ansonia, CT 06401**

Mr. Plavnicky said that he was arrested at an incident in his home with his ex-wife. The Police came to his house and he was arrested, he went to Court and has taken anger management. He was arrested by Officer DiCicco. He said Officer DiCicco was rude and treated him like he wasn't human. He called his cane a "stick". He treated him very very inhumanly. Mr. Plavnicky said he followed the protocol for complaints and is seeking to have someone address the problem. He gave his complaint to Lt. Williams.

Mr. Plavnicky said he was in lock up from 11:00 p.m. to 7:00 a.m. and no one came in to see him or check on him. There was no water in cell #3 and it was very hot that evening. He said he

knows he had to get arrested and he didn't resist. Officer DiCicco kept saying to him "I'm being OK" to you.

The discussion continued on the treatment Mr. Plavnicky received when he was arrested by Officer DiCicco. Chief Hale said that complaints are sometimes referred back from the Sergeant to the Lieutenant. He said he will check on it.

Mr. Plavnicky said he cooperated with Officer DiCiccio.

**Frank Heusser Jr.**  
**Franks LLC**  
**145 Wakelee Avenue**  
**Ansonia, CT 06401**

Mr. Heusser said he would like to get put back on the City's rotational Tow List. He asked who makes the decision to put him back on the Tow List.

Chairman Amico asked Mr. Heusser if he has submitted another request to be put back on the Tow List.

Mr. Heusser said he submitted a request to be put back on the City's rotational Tow List and he was denied because of the civil suit that was pending and now it is because of his relationship with the Officers. He said he doesn't have a problem with the officers; they have a problem with him. He said he does a lot of towing for other municipalities and the State of CT. He said he realizes in the past there was litigation however all of this is over and everything has been resolved. All of the documents are up to date and he pays a lot of taxes to Ansonia and he would like to be put back on the tow list for the City. Everyone on the Tow List has been suspended at one time or another and they are put back on the list. He said he would like to be put back on the tow list.

Chairman Amico said at the time the litigation was going on.

Mr. Heusser said the arrest in Waterbury has been resolved and there is nothing hanging over at this time. There is no litigation and everything has been cleared up and resolved.

Commissioner Goldson said the Police Commission will check it out.

Mr. Heusser said he will check with the Police Commission next month.

Chairman Amico asked if all of the paperwork has been submitted to the Chief.

Mr. Heusser said the Chief has all of the paperwork and he sent a denial. All of the paperwork is in.

### **MONTHLY REPORTS**

Commissioner Cassetti made a motion to accept the monthly reports. Commissioner Pitney seconded the motion. All in favor, motion carried.

<b>COMMISSIONER</b>	<b>Motion Made</b>	<b>Seconded Motion</b>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>	<b>Absent</b>
Nicholas L. Amico (Chair)			X			
Ann Pitney		X	X			
David Cassetti	X		X			
Bob Goldson			X			
Frank Tyszka			X			

### **COMMUNICATIONS**

Chairman Amico said he never received the Policy that is referred to in the first late communication. (Late Communication 1)

Chairman Amico asked if any of the commissioners received the policy.

No one received the policy. Chief Hale said that the subcommittee has the policy on the chemical agents. He said the commissioner's should have received a copy. He requested that it be withdrawn this evening.

Withdrawn Communication: Late Communication 1: Policy on chemical agents

Commissioner Cassetti said there are two communications and one late communication to be considered:

1. Communication A: Letter from Ann Marie Caporale
2. Communication B: Letter from Carolyn Hayes
3. Late Communication 2: Barbara Clifford

Commissioner Cassetti made a motion to accept all of the communications including the late communications. Commissioner Pitney seconded the motion. Motion carried.

COMMISSIONER	Motion Made	Seconded Motion	Yes	No	Abstained	Absent
Nicholas L. Amico (Chair)			X			
Ann Pitney		X	X			
David Cassetti	X		X			
Bob Goldson			X			
Frank Tyszka			X			

Communication #1: Ann Marie Caporale regarding Griffin Hospital parking issues and her request for a “No Parking from here to corner” sign from her driveway to the corner of Division Street.

The Commissioner’s agreed with Ms. Caporale on the parking situation on Page Street and Division Street. There is a law on no parking 25 feet from the corner and driveways should not be impeded. Chief Hale said the Police Department will take a look at Page Street and Division Street where the cars are parking.

Communication #2: Carolyn Hayes regarding her request for a handicap sign to be placed in front of her home at 27 Clarkson Street.

Commissioner Cassetti said if the commission acts on Ms. Hayes request they may be setting a precedent.

Chairman Amico said Mrs. Hayes is asking for handicap parking in front of her home. She is requesting a space for her vehicle and the Handicap Van to park in front of her home. The neighbors don’t care or don’t know and they park in front of her house making it difficult for her and her husband. She is requesting handicap parking in front of her house but there is no way we can guarantee that the handicap spot will be for her.

Commissioner Pitney said a patrol car can be sent up if someone else parks in the handicap spot.

Chief Hale said we have gone to neighbors in the past and asked that they get along especially in this type of situation.

Chairman Amico asked Chief Hale if he could take a look at the driveway for this house.

Late Communication #2: Barbara Clifford regarding a “no parking to here” sign at Rutland Street/ Division Street and Rutland Street/Russell Street intersections.

Commissioner Pitney said Ms. Clifford’s letter refers to a parking problem in the same area as Ms. Caporale. Ms. Clifford states there is already a “no parking 7:00 a.m. to 3:00 p.m.” on a pole in that area. She states there is a handicap sign on a pole in front of 17 Rutland Street and the no parking sign can be attached to that pole.

Chief Hale said that the Police Commission never approved the handicap sign on a pole but he will have the Police Department look at these streets for parking.

### **UNFINISHED BUSINESS**

1. Board to discuss issues concerning a new pension recipient. Still pending

Chief Hale said that this is still pending and he will contact the Finance Department for the status of the pension.

2. Status of Mr. Diulio’s request to have the crosswalk on Clifton Avenue relocated. Approved, but waiting on the Public Works Department.
3. Griffin Hospital’s request for repainting crosswalks from hospital. Approved, but waiting on the Public Works Department.

Commissioner Pitney asked if the crosswalks have been painted at the schools.

Chief Hale said that they have been painted.

4. The three (3) tabled resolutions from the Board of Aldermen presented at the July 6, 2011 meeting remained on the table.

### **NEW BUSINESS**

#### Golf Cart on City Streets and Roads

Chairman Amico said the commission turned down the request from a resident for the use of a Golf Cart to travel around the City on City streets and roads.

Commissioner Pitney said there is someone riding a motorized wheelchair in the road on Division Street.

Chief Hale said that they should be on the sidewalk and not in the road.

There was a discussion on the motorized wheelchair being operated in the Road and not on the sidewalk and that this is dangerous for the person in the wheelchair. It is very hard to see him in the wheelchair and visibility is bad on the street.

Commissioner Tyszka said a golf cart is also a dangerous situation. Someone operating a golf cart in the road can cause a serious situation.

Chief Hale said that there are other communities that have a smaller community within the community where a golf cart would lend itself for transportation. These types of communities are beach communities and condominium type communities where there is not a mainstream of heavy traffic.

Commissioner Pitney said she did a survey of 10 to 12 towns and the beach community is OK but the big towns NO.

Chairman Amico asked for a motion to deny the request for a golf cart on city streets and roads.

Commissioner Tyszka made a motion to deny the request for a golf cart to be driven on city streets and roads. Commissioner Pitney seconded the motion. All in favor, motion carried.

<b>COMMISSIONER</b>	<b>Motion Made</b>	<b>Seconded Motion</b>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>	<b>Absent</b>
Nicholas L. Amico (Chair)			<b>X</b>			
Ann Pitney		<b>X</b>	<b>X</b>			
David Cassetti			<b>X</b>			
Bob Goldson			<b>X</b>			
Frank Tyszka	<b>X</b>		<b>X</b>			

Property on Elm Street

Commissioner Cassetti asked Chief Hale about the property next door to the Police Station and if the City was purchasing this property for a new Ansonia Police Station. He would like to look into the purchase if possible. He said this subject was discussed a few years ago and it was unfinished business and he would like to bring it up again and find out the price for this property.

Chief Hale said that the property is across the street where there was a proposed Day Care and the owner is looking to sell the property. He said he didn't hear of any plans or see any plans for a new Police Station.

Commissioner Pitney said that maybe the owner would donate the land to the City for a new Police Station.

Chief Hale said there were some traffic issues with this site with the State DOT. If they had issues with traffic it might not be feasible for the Police Dept. There is traffic generated by the Police Dept.

Commissioner Cassetti said there could be a driveway entrance from Thomas and Richard Streets.

Commissioner Pitney said if they had a problem with traffic the Police Department will have a problem.

Chairman Amico said he will speak with Mayor Della Volpe and find out what is happening with the property.

#### Policies

Commissioner Tyszka asked Chief Hale if the Commission will approve the policies this month.

Chief Hale said the commission can do it at next month's meeting as there are two or three more for the next meeting and the Commission can do them all at one time.

#### **ORAL REPORT: Chief Kevin Hale**

Chief Hale presented the following oral report to the Commission.

#### **Invoice:**

Chief Hale explained that the light located at Wakelee Avenue and Division Street has been down. It was down before Hurricane Irene. The parts to repair the light are obsolete and the City has borrowed the company's fixture. The bill is for a new unit at a cost of \$3500. The City's deductible is \$10,000 so the repair is below the deductible cost. He is asking for approval to pay the invoice in the amount of \$3500.

Chairman Amico asked for a motion to pay the invoice of \$3500 for the repair of the traffic light at Wakelee Avenue and Division Street.

Commissioner Goldson made a motion to approve the payment of \$3500 for the repair to the traffic light located at Wakelee Avenue and Division Street. Commissioner Cassetti seconded. Motion carried.

COMMISSIONER	Motion Made	Seconded Motion	Yes	No	Abstained	Absent
Nicholas L. Amico (Chair)			X			
Ann Pitney			X			
David Cassetti		X	X			
Bob Goldson	X		X			
Frank Tyszka			X			

**Personnel:**

- One officer has returned to full duty.
- Two officers are on long term workers compensation.
- One officer is on short term workers compensation.

**Hiring:**

- Michael Castillo was approved this evening for recommendation to the Mayor and Board of Aldermen.

**Miscellaneous:**

- Hurricane Irene: The Police Department was the Operation Center for Hurricane Irene. There were representatives from each city department on hand at the Center for 23 hours beginning Saturday. Sunday morning a representative from United Illuminating was present. Everything went very well. There was good coordination. The Shelters were ordered opened and a family of three stayed at Ansonia High School. Mead School was a shelter for pets. After Hurricane Katrina the Federal Government mandated a shelter for pets be set up during an emergency. There was an after action meeting held on Friday and there are things we need to do to improve. Each department is working on this. Chief Hale said that Nicholas Gentile III resigned in July as the Homeland Security Officer and he assumed his responsibilities.

- Chief Hale said there is back up power to the Police Station building however the generator is not capable of handling the full building. This is something that has to be looked at.
- The flood wall was closed. Chief Hale said this is the first time in 40 years that the flood wall was closed. The water was beginning to rise over the railroad tracks.
- Bridge Street bridge light “No turn on Red” will be re-evaluated. Chief Hale said at that intersection of Bridge Street, Pershing Drive and Olson Drive there should be a change where a vehicle can make a right turn on red. To change a signal even on a town road the City must request the change from the State Traffic Commission. He said the Maple Street bridge should be open before the first snow, they are a month behind.
- Commissioner Pitney asked if there was any new information on the pending cases. Chief Hale said that at this time he really can’t say. There is information coming in and the Department is “grinding it out”. There is no response to the award that is being offered.

Commissioner Cassetti made a motion to accept Chief Hale’s oral report. Commissioner Pitney seconded the motion. All in favor, motion carried.

<b>COMMISSIONER</b>	<b>Motion Made</b>	<b>Seconded Motion</b>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>	<b>Absent</b>
Nicholas L. Amico (Chair)			<b>X</b>			
Ann Pitney		<b>X</b>	<b>X</b>			
David Cassetti	<b>X</b>		<b>X</b>			
Bob Goldson			<b>X</b>			
Frank Tyszka			<b>X</b>			

**EXECUTIVE SESSION**

There was none.

**CONGRATULATIONS**

The Commissioner’s congratulated Chief Hale on his election as 2<sup>nd</sup> Vice President of the New England Police Chief’s Association.

**ADJOURNMENT**

Commissioner Tyszka made a motion to adjourn. Commissioner Goldson seconded the motion. All in favor, motion carried.

<b>COMMISSIONER</b>	<b>Motion Made</b>	<b>Seconded Motion</b>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>	<b>Absent</b>
Nicholas L. Amico (Chair)			X			
Ann Pitney			X			
David Cassetti			X			
Bob Goldson		X	X			
Frank Tyszka	X		X			

Meeting adjourned at 5:50 PM.

The next meeting is scheduled for Wednesday, October 5, 2011 at 5:00 p.m.

Respectfully submitted,



Jo-Lynn Flaherty

Acting Recording Secretary

Board of Police Commissioners/Traffic Authority