

REGULAR MEETING
Wednesday, October 7, 2009
5:30 PM
Erlingheuser Room

MINUTES

CALL TO ORDER:

Commissioner Nicholas L. Amico chaired the meeting and called the meeting to order at 5:30 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 Cassetti	X		
Commissioner Dennis Phipps			X
Commissioner Bob Goldson	X		

Also in attendance:
 Chief Kevin J. Hale

Recording Secretary recorded four 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 asked for a motion to accept the minutes of the September 2, 2009, regular meeting. Commissioner Cassetti stated that he did not receive a copy of the September 2, 2009, meeting minutes and was unable to review them. Commissioner Goldson motioned that the approval of the September 2, 2009, regular meeting minutes be delayed until next months meeting so that Commissioner Cassetti can review them. Commissioner Pitney 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			
Dennis Phipps						X
Bob Goldson	X		X			

PUBLIC SESSION:

Chairman asked anyone who wished to address the Board to state their name and address for the record. Chairman mention that before the board gets into the public session, he was not at the last meeting but he would like to comment in regards to a complaint made by a citizen. “In response to a concerned citizen at last months meeting regarding the towing of disabled autos, we have reviewed their concern and according to state statute and the Connecticut Department of Motor Vehicles, the inspectors department, wreckers operating from a salvage yard are required to display a dismantler plate. Seymour Auto Wrecking, being a salvage yard, and not towing for compensation, has been operating with dismantler plates. There is no requirement for them to display wrecker plates.” Now as far as this Board is concerned this matter is closed and there will be no further discussion on the subject. This subject has been coming up for a long time. We’ve reviewed it. This is the outcome of it. This will be part of the minutes. If somebody wants to get a copy of it, they can get it down at the Town Clerk’s office...**Frank Heusser Jr.**-...have you reviewed 1466 of the Connecticut State...**Chairman**-We have reviewed the towing of disabled autos...this is all we are talking about. **Frank Heusser Jr.**-Just to inform you 1466 states under 14-150 a junk yard is not allowed to use a dismantler plate. A junk yard is allowed to use that plate for any other purpose. But under 14150 it is called an abandoned motor vehicle. You have to be licensed as a wrecker and it states it right here in the Connecticut General Statute book that the Chief seems to be misleading you about because I went and did all the research...**Chairman**- I don’t believe that the Chief is misleading us...**Commissioner Cassetti**- We called Motor Vehicles...**Frank Heusser Jr.**- Yes he is...What is the inspector’s name. **Chairman**- We’ve done the investigation. You want to put that in writing, please put it in writing. **Frank Heusser Jr.**-Yes I do because I spoke to...**Chairman**- Put it in writing and send it to us... **Frank Heusser Jr.**- ...I spoke to...**Commissioner Cassetti**- Can we have some order here! **Frank Heusser Jr.**- I spoke to Lieutenant Baio (Correct spelling of last name is unknown). He is a Lieutenant...**Chairman**-I don’t know who he is. I don’t know Lieutenant Baio. Would you please put it in writing...**Frank Heusser Jr.**-...would you call yourself?...**Chairman**-...I don’t want to talk about it any further, you want to put it in writing, you could. **Frank Heusser Jr.**-I will put it in writing...**Commissioner Goldson**- Chairman is that a motion that you are making. That you want this to be on record? **Chairman**- Yes, absolutely. Commissioner Goldson made a motion that the Chairman’s comment be put into motion. **Frank Heusser Sr.**- And will something be done?... **Chairman**-And it will be, it will be in the minutes. **Commissioner Goldson**- Okay. Commissioner Pitney 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			
Dennis Phipps						X

Bob Goldson	X		X			
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Chairman- If you have a concern, an additional concern, please put it in writing and send it to us. **Frank Heusser Jr.-** If I... **Chairman-**...I don't want to have any further discussion about this here okay. **Frank Heusser Jr.-**If it's correct, it will be looked into? **Chairman-** Fine, send it to us and we will look into it. **Frank Heusser Jr.-** I will do that. **Chairman-** We said we would look into this, we did okay. **Frank Heusser Jr.-** Obviously not the...**Chairman-**...and we will take a look at the other... **Frank Heusser Sr.-**(inaudible)...compensation by junking the cars and making money... **Chairman-**...Gentlemen please! I don't want to discuss this any further! **Commissioner Goldson-** Right we said it wasn't going to be discussed. No more discussion. **Chairman-** Okay. No further discussion on the subject. **Frank Heusser Jr.-** Your suppose to be in favor of the town, not in favor of the Chief. **Chairman-**I am in favor of the town and I don't like your comments! **Frank Heusser Jr.-** I'm just speaking the truth. **Chairman-**You are not speaking the truth. **Frank Heusser Jr.-** I am speaking the truth. **Commissioner Goldson-** Excuse me, Excuse me! **Commissioner Cassetti-** Can we have order please! **Chairman-** Now look, if you don't keep your mouth shut, I am going to have you escorted out. **Frank Heusser Jr.-** That's fine. **Chairman-** No further discussion on the subject. **Frank Heusser Jr.-** Alright. **Chairman-** Put it in writing please. **Commissioner Cassetti-** No other discussions. **Chairman-** Any other subject, any other person from the public? **Frank Heusser Jr.-** Yes I have another discussion. **Chairman-** It's not this particular subject? **Commissioner Goldson-** Right. **Frank Heusser Jr.-** It's not. This is another discussion. **Chairman-** Bring it up Frank. **Frank Heusser Jr. -** Last...2 nights ago Seymour police had a fatal accident on Rt. 8. One of Ansonia's cruiser's was involved in the investigation of the accident. I want to know who authorized that vehicle to be driven with side airbags deployed. That is 14222 of the Connecticut State General Statute operating a reckless motor vehicle, reckless driving. That is, if anyone of you got into accident, a side air bag went off, they would make you have the vehicle towed. Why was that vehicle not towed? Is that...is the City police officer's above the law or was it a Sergeant that made it...a decision that should have never made it? **Chairman-** We will take a look at that Frank. Thank you very much. **Frank Heusser Jr.-** Yeap. **Chairman-** Appreciate it.

Carl J. D'Alessio
215 Prospect Street
Ansonia, CT 06401

Mr. D'Alessio approached the Board regarding his request for a permit to drive my golf cart on City roads. Chairman stated that this needed to be discussed also.

Chairman asked if there was anyone else who wished to address the Board. Commissioner Cassetti asked Mr. Tenpenny for his full name and address.

Joel Tenpenny
22 Winter Street
Ansonia, CT 06401

Mr. Tenpenny stated that he was at the last meeting in regards to making Winter Street a one-way. Mr. Tenpenny just wanted to follow up with the Board. Chief Hale stated that

he has followed up on the matter and asked Mr. Tenpenny to stay for that discussion. Mr. Tenpenny agreed.

Christopher Flynn
Police Union-President
2 Elm Street
Ansonia, CT 06401

Sergeant Flynn addressed the Board of his concerns of the police departments operating on five Sergeants for the last year or so and the fact that it is beginning to take its toll on the department. Sgt. Flynn asked if the Board was considering the option of testing for the 6th position for Sergeant. Chairman stated that the matter would be discussed in executive session.

Chairman asked if there was anyone else from the public who wished to speak. There were none. Public session was closed.

MONTHLY REPORTS:

Commissioner Cassetti made a motion to accept the monthly reports. Commissioner Pitney 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			
Dennis Phipps						X
Bob Goldson			X			

COMMUNICATIONS:

Prior to accepting the communications Chairman informed the Board members of a late communication dated September 23, 2009, from Police Union President Sergeant Christopher Flynn to the Board requesting a copy of the South Central Departmental Study. Commissioner Cassetti made a motion to accept the communication and the late communication as presented. Commissioner Pitney 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			
Dennis Phipps						X
Bob Goldson			X			

At this time Chairman asked the citizen's that entered the meeting at this time, if they wanted to be part of the public session. The citizen responded yes. Commissioner Pitney made a motion to return to the public session. 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		X			
David Cassetti			X			
Dennis Phipps						X
Bob Goldson		X	X			

Nathan Washington
54 Church Street
Ansonia, CT 06401

Mr. Washington presented the Board with a number of complaint forms. The forms were given to Chief Hale for his review.

Commissioner Pitney made a motion to return to the regular session. 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		X			
David Cassetti			X			
Dennis Phipps						X
Bob Goldson		X	X			

The Board proceeded with the next item on the agenda. (Communications)

- a) Letter dated September 15, 2009, to the Board from Mr. Ron Sisbarro of Barber on Main LLC, regarding his request for a "Handicap Parking" sign to be placed in front of his business at 350 East Main Street. (Copy of response from the Board to Mr. Sisbarro regarding denial of last request.) **Chairman noted the attached response letter to Mr. Sisbarro.**
- b) Letter from Mr. Jason Perillo, Executive Director of Valley Emergency Medical Service to Chief Kevin Hale, thanking the police officer's who provided assistance on scene on September 10, 2009. **Informational only. No action needed.**
- c) Letter dated September 17, 2009, to the Board from the CT Department of Labor regarding Grievance 2008-2. **Informational only, no action needed.**
- d) Letter dated October 5, 2009 to the Board from Chief Kevin J. Hale, regarding approval of policies 4.024 and 4.024a. **Commissioner Pitney made a motion to accept policies 4.024 and 4.024a and to place them in the policy and procedure book. Commissioner Cassetti seconded the motion. All in favor, motion carried**

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

- a) Late Communication- Letter dated September 23, 2009 from Police Union President Sergeant Christopher Flynn to the Board requesting a copy of the South Central Departmental Study. **Chairman informed the Board that this request has been fulfilled. No action needed.**

Chief Hale asked that the Board go back to communication a). Chief Hale clarified that Mr. Sisbarro put in the same request back in December of 2008. Chief Hale stated that the letter that was attached to the communication was the response from the Board from his first request. **Commissioner Cassetti made a motion to send a letter to Mr. Sisbarro denying his second request for a handicap sign to be placed in front of 350 East Main Street. 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		X			
Dennis Phipps						X
Bob Goldson		X	X			

UNFINISHED BUSINESS:

Chief Hale informed the members of the Board that unfinished business item numbers 2 through 7 have been completed.

1. Review issuance requirements for golf carts. **Chief Hale expressed his concerns regarding the liability of allowing golf carts to be ridden on city streets, and that he is not in favor of it. Chief Hale reiterated that his concerns are not with Mr. D'Alessio in general, but as a whole. If the Board approves this request, the police department would be responsible for inspections, permits etc. and if an accident were to occur, it would be the liability of the town. A brief discussion was held regarding this matter. Commissioner Pitney asked that the Board allow her to research some information on other towns that are not by the shoreline and that she will give her recommendation at the November meeting.**
2. Send a letter to the Fire Chief with carbon copies to the Fire Commission, Ansonia Public Works and the Board of Aldermen regarding Winter Street
3. Send Letter to the Board of Aldermen regarding winter parking recommendations for the Ordinance Committee.
4. Send a letter to the Department of Transportation and the CT Council of Governments regarding the traffic light/issues on Division Street at Clifton Avenue and Atwater Avenue (Derby)
5. Send letter to the Board of Police Commissioners of Derby regarding the Boards request for signs to be placed near Griffin Hospital.

6. Send a letter to the Board of Apportionment and Taxation regarding the overtime of the department.
7. Send a letter to Mr. Miller granting him permission to release the quarterly investments to the pension funds.

Chief Hale noted that item number 1 and item number 2 be left on the unfinished business as he will be awaiting a response Commissioner Pitney regarding the golf carts and the Department of Public Works on the Winter Street request.

Mr. Tenpenny noted that he will return next month.

NEW BUSINESS:

Commissioner Cassetti asked if any of the members of the Board will be attending the Ordinance Committee special meeting. Chairman stated that Chief Hale will be there to represent the members of the Board.

ORAL REPORT:

Personnel:- 3 officers are on light duty. One is working towards full release.

Miscellaneous- The Board of Aldermen approved the phone system request. The next step is for the Mayor to sign the contract.

-The murder case is still progressing.

-Chief Hale informed the Board of a request for a “Do Not Block Driveway” sign to be placed at 222 North State Street. A brief discussion was held. Commissioner Pitney made a motion to approve the request to have a “Do Not Block Driveway” sign placed at 222 North State Street.. Commissioner Goldson seconded the request. 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			
Dennis Phipps						X
Bob Goldson		X	X			

-There was a house fire on Star Street at Fifth Street. Sadly, Mr. McMichael lost his life in the fire. There was great effort from the Ansonia Police Department and the Ansonia Fire Department. One officer was injured and returned to work the next day.

-Chief Hale briefly discussed the issues with overtime.

-Chief Hale asked the members of the Board to take a look at the new improvements the City has made on Rockwood Ave. He mentioned the possibility of making it a 2 way street.

-The Ordinance Committee will be meeting on October 13th.

-Chief Hale expressed his concern on the need of the 6th Sergeant position and made a case that the position be filled. A brief discussion was held. Commissioner Goldson made a motion to declare vacancy in the Sergeants rank and authorize Chief Hale to run a promotional exam. Commissioner Pitney 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			
Dennis Phipps						X
Bob Goldson	X		X			

Commissioner Cassetti made a motion to accept Chief Hale's report. Commissioner Pitney 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			
Dennis Phipps						X
Bob Goldson			X			

EXECUTIVE SESSION:

Matter was discussed during regular session in Chief Hale's oral report.

ADJOURNMENT:

Commissioner Pitney made a motion to adjourn. Motion seconded by Commissioner Cassetti. 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			
Dennis Phipps						X
Bob Goldson			X			

Meeting adjourned at 6:12 pm.

Respectfully submitted,

Jennifer Lester
Recording Secretary
Board of Police Commissioners/Traffic Authority