



# EAST HAVEN DEPARTMENT OF POLICE SERVICES

471 NORTH HIGH STREET • EAST HAVEN, CONNECTICUT 06512

Mayor Joseph Maturo, Jr.

Honorable Board of  
Police Commissioners

## HONORABLE BOARD OF POLICE COMMISSIONERS REGULAR MONTHLY MEETING MINUTES

OCTOBER 29, 2019 AT 7:00 PM

471 NORTH HIGH STREET

EAST HAVEN, CT

**COMMISSIONER(S) PRESENT:** Chairman William Illingworth (presiding), Vice Chairman Joseph DiSilvestro, Commissioner Dawne Flynn, Commissioner Eduardo Torrealba, Commissioner Paul Carbo

**ALSO PRESENT:** Chief Edward Lennon, Stephen M. Sedor, Esq. (Pullman & Comley, LLC), Joseph Coppola (Assistant Director of Administration & Management, Town of East Haven – Mayor's Office), John M. Walsh, Jr., Esq. (Licari, Walsh & Sklaver, LLC), Detective Robert Brockett, Citizens, ETV Videographer

Chairman Illingworth called the meeting to order at 7:03 PM.

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call – Clerk Maldonado; quorum obtained
4. Announcement(s)
5. Consider and act upon the approval of the regular monthly meeting minutes of August 27, 2019

Vice Chairman DiSilvestro made a motion to accept and approve the regular monthly meeting minutes of August 27, 2019 as received; seconded by Commissioner Torrealba. All in favor. No one opposed or abstained. Motion carried unanimously.

6. Consider and act upon the approval of the monthly reports (September and October 2019)  
Commissioner Torrealba made a motion to accept and approve the monthly reports as received; seconded by Commissioner Flynn. All in favor. No one opposed or abstained. Motion carried unanimously.
7. Consider and act upon Committee Reports & Recommendations
  - a. Alarms Committee
  - b. Police Personnel Committee
  - c. Traffic & Public Safety Committee

Commissioner Torrealba provided updates on the following issues previously under review by the Committee:

- i. *Suzanne Pellegrino (119 Bradford Avenue) – Requesting the Traffic & Public Safety Committee reconsider their recommendation to deny parking on one side of the street on George, Henry and Stevens Street citing emergency*

*vehicle safety. Chairman Illingworth stated that the Committee will check with the Fire Chief to see if it is an issue with the Fire Department. -from the July 30, 2019 meeting minutes, Public Comment*

Commissioner Torrealba visited the area and conducted an on-foot assessment. The original recommendation still stands and no action should be taken.

*ii. Donna Dowd (64 Coe Avenue)*

- 1. Summer beach parking on the weekends is terrible – cannot leave her house due to cars parked in front of her house. She spoke with Councilman Santino who told her that if the police department would do their job and enforce the ordinances on the books, she would not have this problem. Chairman Illingworth asked if she knew which ordinance he was referring to. She did not know. Chairman Illingworth asked Commissioner Torrealba to contact Councilman Santino for clarification. Commissioner Torrealba asked Ms. Dowd if she called the police department for enforcement. She replied no because it is public parking, it's not illegal for them to park in front of her house. She further commented that she attends the Momauguin Neighborhood Association and Councilman Deko is doing a good job trying to put something together. Commissioner Torrealba wants to make sure he understands the issue – it is not that they are parking illegally it is that people are parking in general. [cross talk] Ms. Dowd said it is out-of-town people. Commissioner Torrealba is not aware of any ordinance in the Town Charter that prohibits someone from parking legally on a public street. [cross talk] Ms. Dowd wants resident-only parking vouchers for the summer (Memorial Day to Labor Day), no out-of-town parking in the beach area. Commissioner Torrealba will contact Councilmen Santino and Deko to discuss further.*

Commissioner Torrealba attended a recent Town Council meeting and spoke with Councilman Santino who expressed his doubts that he made any such comments as he is aware that there is no ordinance to prohibit public parking in the Town Beach area. Commissioner Torrealba also spoke with Councilman Deko who did not recall any conversation about a plan. He asked Councilman Deko to bring forth any plan for the Board of Police Commissioners to consider.

- 2. Ms. Dowd recently found out that East Haven is a sanctuary town for illegal aliens and wants to know why and for how much longer. Chairman Illingworth stated that this is not relevant to the police commission as it is not a police issue. [cross talk] Commissioner Torrealba added that State law limits the interaction police departments and law enforcement agencies in the State of Connecticut can have with the Federal authorities, in this case specifically with ICE immigration. It is not a police commission issue; it is not even a Town issue – it is a State law passed by a previous governor and in this last session was amended to make it more restrictive for police departments to contact the Federal authorities for immigration issues. [cross talk] Ms. Dowd vehemently disagrees with his legal explanation. Commissioner Torrealba recommends she contact the governor with her concerns.*

*-from the July 30, 2019 meeting minutes, Public Comment*

Commissioner Torrealba reiterated that it is a state law that makes Connecticut a sanctuary state, and not any specific action taken by the Board of Police Commissioners. Lastly, he references a recent article<sup>1</sup> that there have been changes to the law effective October 1, 2019 that further limits the interactions of law enforcement agencies in Connecticut with the Federal immigration authorities.

Vice Chairman DiSilvestro made a motion to approved the committee reports; seconded by Commissioner Carbo. All in favor. No one opposed or abstained. Motion carried unanimously.

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<sup>1</sup> <https://ctmirror.org/2019/05/15/ct-senate-passes-bill-restricting-cooperation-with-ice/>

8. Public Comment

a. Suzanne Pellegrino (119 Bradford Avenue)

- i. Asked Commissioner Torrealba if he spoke with the Fire Department about the problems getting up and down Henry, Stevens and George Streets to which he replied that there was no comment from the Fire Department. Ms. Pellegrino said she was told by a volunteer fireman that they did have trouble getting down the street due to parking on the street. Chairman Illingworth commented that without the testimony of said volunteer fireman, there was nothing further to be done.
- ii. Asked about the outcome with Ginnetti tractor trailers on Hemingway Avenue. Chief Lennon intended to speak with Sergeant Mulhern and will call Ms. Pellegrino with an answer. He further explained the State statute pertaining to wide turns. Ms. Pellegrino insists it is a U-turn, to which Chairman Illingworth clarified that it is not. Commissioner Torrealba stated that this issue has been previously deferred to the Traffic and Public Safety Committee and is still under review.

b. Linda Abbott (53 Laurel Street) – Question regarding numerous trucks going down Laurel Street due to the Q-Bridge construction, and whatever – was told that the Police Department has directed them to go that way; however, the speed limit on Laurel Street is 25MPH and no one is doing less than 55-60MPH. It has really become a problem, again, kids crossing streets/school buses. Cars shooting up and down side streets. Thinks someone should be looking in to it.

Chief Lennon stated that it is not the Police Department – it is the CT Department of Transportation who designated Laurel Street as an authorized cut-thru for construction vehicles and over-sized loads that are too big to go over certain bridges.

Further, Chief Lennon provided statistics about traffic enforcement on Laurel Street as compared to Route 80 and other high-traveled areas – for example, we have made more traffic stops on Laurel Street than on Frontage Road; we made 219 traffic stops this year in comparison to Frontage Road with 196 traffic stops. Also, our speed signs do monitor for speed – people are speeding when we are not there, but speeds are not as high as Ms. Abbott declares.

Ms. Abbott asked how many have been ticketed to which Chief Lennon replied he did not have the breakdown of written warnings versus tickets issued. Ms. Abbott again questioned whether traffic was or was not being enforced.

Commissioner DiSilvestro replied that 219 stops constitute enforcement. The Commission does not take this lightly. We cannot have a police vehicle on every street, stopping everybody – people do slow down when they see the police officers and speed when they do not. You are not being ignored. We understand that you come here for help and we can only do so much with the manpower we have. Unfortunately, in some instances, there are no quick fixes or long-term fixes – sometimes it is red tape, sometimes it is bureaucracy, sometimes it is that we cannot do anything but it is not that we are not trying to do something. Safety for the citizens of this Town is of the utmost importance for this Commission whether or not it seems that way, or you get the answer you want. Your concerns are not falling on deaf ears.

c. Karen Martin (15 Oak Grove Road) – Seeks to understand correctly what Commissioner Torrealba said about the beach area parking. She is surprised to hear that Councilman Deko has not submitted a written proposal to the Board and says he also held a press conference that was in the newspaper and on Channel 8. She further cites remarks from Attorney Zullo about traffic authority jurisdiction to which Commissioner Torrealba clarifies the context of those remarks. Ms. Martin will do more research into how West Haven has implemented and enforces resident-only parking on public

streets. Commissioner Carbo encourages Ms. Martin to ask Councilman Deko to come to a police commission meeting.

- d. Robert Sand (501 Thompson Street) – Mr. Sand asked Chairman Illingworth to explain to him the position of the East Haven Police Department along with the State in regards to ICE. Chief Lennon explained that we have to comply with State law and our Department policy mirrors the State law, and we are limited to what we can and cannot do with the exception of very narrow criteria such as very egregious acts – Class A and B felonies, capital offenses, certain acts of human trafficking, terrorism, judicial warrants.

9. Correspondence Received/Sent

- a. Residents of East Haven (Laurel Street), dated August 2019 (received September 10, 2019)
  - i. Excessive speeding and irresponsible driving at four-way intersection at Laurel Street/Bradley Street/Grannis Street – proposing speed bumps
  - ii. Tractor trailers shaking homes – propose Eastern Street and Laurel Street as No Thru Trucks  
Chairman Illingworth deferred this to the Traffic & Public Safety Committee for review.

10. Department Updates (Chief Lennon)

- a. Personnel Matters/Injured Employees
  - i. Four (4) sworn personnel remain on long term injured status
  - ii. One (1) sworn personnel on injury – status unknown, to be determined
  - iii. There were 27 applicants left on the list from the last testing process for recruit police officer; of those, 25 were eliminated after the background questionnaire, the other 2 were eliminated after the polygraph or psychological exam, rendering that list completely null and void. Applicants are very low which is a national problem.
  - iv. There are currently several vacancies with more to come pursuant to items 12.a. and b. which will create a domino effect for additional vacancies – we anticipate four (4) vacancies by the first of the year for which we have secured Academy seats
  - v. Upon completion of the testing, the Civil Service Commission has agreed to hold special meetings as necessary to certify the list. Our ambitious goal is to bring viable candidates in front of the Board by the last week in December.
- b. Overtime – Remains consistent
- c. Awards & Commendations
- d. Noteworthy News

11. Old Business

- a. Request by Officer S. Moriarty, through counsel, for extension of time for one month beyond the November 2019 BOPC meeting, to provide medical support to the Commission

Vice Chairman DiSilvestro made a motion to enter into executive session for the following purposes:

- i. To review and discuss personnel and medical records of the police officer who is the subject of this discussion in accordance with the Connecticut General Statutes Sections 1-200(6)E and 1-210(b)(2).; and

- ii. To discuss the employment and/or dismissal of a Town of East Haven police officer pursuant to Connecticut General Statutes Section 1-200(6)(A)

The Board invites Attorney Stephen Sedor, Chief Lennon, AD Joseph Coppola and Attorney John Walsh for said officer (who is not present) into executive session; seconded by Commissioner Torrealba. All in favor. No one opposed or abstained. Motion carried unanimously.

Executive session commenced at 7:38 PM and concluded at 8:06 PM. Public session resumed.

Vice Chairman DiSilvestro made a motion that the BOPC hereby moves that the request of Officer Moriarty to extend the time to present medical evidence of his ability to return to work is granted. Counsel for Officer Moriarty is hereby directed to provide a copy of the officer's physician's report upon his receipt of the report. The Commission shall then convene a special meeting to make a final decision regarding Officer Moriarty's employment. However, if no report is received by the Commission by January 10, 2020, the Commission shall schedule a special meeting and make a decision regarding the officer's employment based upon the medical evidence that has been presented as of then.

Seconded by Commissioner Torrealba. All in favor. No one opposed or abstained. Motion carried unanimously.

## 12. New Business

- a. Request certified Lieutenant list from the Civil Service Commission

Vice Chairman DiSilvestro made a motion to request a certified Lieutenant list from the Civil Service Commission; seconded by Commissioner Torrealba. All in favor. No one opposed or abstained. Motion carried unanimously.

- b. Request certified Sergeant list from the Civil Service Commission

Commissioner Torrealba made a motion to request a certified Sergeant list from the Civil Service Commission; seconded by Commissioner Flynn. All in favor. No one opposed or abstained. Motion carried unanimously.

- c. Request Civil Service initiate the testing process for Detective

Vice Chairman DiSilvestro made a motion to request Civil Service initiate the testing process for Detective; seconded by Commissioner Flynn. All in favor. No one opposed or abstained. Motion carried unanimously.

- d. Discussion and approval of revised policies 102.4 (Professional Development & Training), 104.4 (Rank and Organizational Structure), and 105.8 (Uniforms, Equipment, and Personal Appearance)

Vice Chairman DiSilvestro made a motion to approve policy 102.4 (Professional Development & Training) effective November 15, 2019; seconded by Commissioner Torrealba. All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman DiSilvestro made a motion to approve policy 104.4 (Rank and Organizational Structure) effective November 15, 2019; seconded by Commissioner Flynn. All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman DiSilvestro made a motion to approve policy 105.8 (Uniforms, Equipment, and Personal Appearance) effective November 1, 2019; seconded by Commissioner Flynn. All in favor. No one opposed or abstained. Motion carried unanimously.

13. Adjournment

Vice Chairman DiSilvestro made a motion to adjourn; seconded by Commissioner Torrealba. Chairman Illingworth adjourned the meeting at 8:10 PM.

Respectfully submitted,

Marsha M. Maldonado

Clerk to the Honorable Board of Police Commissioners

*[Audio recording on file – duration 40:18 minutes for public session only; executive session excluded]*