



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

JULY 30, 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, Detective Robert Brockett, Lieutenant Joseph Murgo, Sergeant Kevin Klarman, Officer Sean Moriarty, Attorney Joseph Zullo, Citizens, ETV Videographer

Chairman Illingworth called the meeting to order at 7:01 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 May 28, 2019
Vice Chairman DiSilvestro made a motion to accept and approve the regular monthly meeting minutes of May 28, 2019 as received; seconded by Commissioner Flynn. All in favor. No one opposed or abstained. Motion carried unanimously.
6. Consider and act upon the approval of the monthly reports (June and July 2019)
Vice Chairman DiSilvestro made a motion to accept and approve the monthly reports as received; seconded by Commissioner Carbo. 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
 - i. *Suzanne Pellegrino (119 Bradford Avenue) – Request that George, Henry and Stevens Streets between Bradford and Soundview be made parking only on one side of the street because there are problems getting down the street with cars parked on both sides of the street, especially for emergency vehicles. -from the April 30, 2019 meeting minutes, Public Comment*

The Committee surveyed the area over the week and during the weekend, and observed cars parked more than 12 inches from the curb which [inaudible][02:35] impedes the free flow of

traffic and vehicles parked the wrong way; besides that, those streets seem no different than any other streets in the area. The Committee recommends no further action.

Chairman Illingworth would expect that Chief Lennon would enforce the 25ft from the [curb] and parking facing the wrong direction.

8. Public Comment

a. Suzanne Pellegrino (119 Bradford Avenue)

- i. 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.
- ii. Ms. Pellegrino asked why Ginnetti tractor trailer trucks are permitted to make U-turns in the middle of Hemingway Avenue (Route 142)? Why are they not required to go down the street, around the block and come in to make a normal left-hand turn? It is very dangerous. Chairman Illingworth commented it may be a wide turn versus a U-turn. Chief Lennon would need to see what is being done to determine if there is a motor vehicle violation to be able to enforce it.

Vice Chairman DiSilvestro made a motion to have the Traffic & Public Safety Committee investigate and report back at next month's meeting; seconded by Commissioner Flynn. All in favor. No one opposed or abstained. Motion carried unanimously.

Chairman Illingworth appointed Commissioner Flynn to the Traffic & Public Safety Committee to assist Commissioner Torrealba in this endeavor and any other issues under review by the Committee.

- b. John Wobensmith (93 Cosey Beach Avenue) – Supports Ms. Pellegrino's request stating that he has had difficulty getting down Stevens Street, as well as Henry and George at times too, with his mid-sized SUV (his mirrors hit the mirrors of parked cars) because of parking on both sides of streets. What will a fire truck and ambulance do?

c. Donna Dowd (64 Coe Avenue)

- i. 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.

Chief Lennon is also unaware of any such enforceable ordinance for legally parked cars.

- ii. 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.

- d. Joe Vellali (97 Bradford Avenue) – Calls regularly about illegal parkers on the corner in front of his house and around the corner (weekends/evenings mostly). The bigger issue is the trash being thrown from all the visitors who come to the Town beach – they park on the street, throw dirty diapers, water bottles, cups and food. He picks up litter several times a day, it is out of control. Request posting signs for fines for littering and would be happy to install cameras on his house to help figure out where the problems exist. Mr. Vellali also mentioned resident-only parking during the summer. Chairman Illingworth stated that the Commission cannot address non-resident parking and can only enforce the rules that are on the books now. If something changes, it will be enforced too.

- e. Elizabeth Vellali (97 Bradford Avenue) – Asked about regular bike patrol in the beach area. Chief Lennon stated that beach patrol (bike, foot and vehicle) is staffed on the weekends from July 4 through Labor Day. She expressed her thanks for stepping up patrol and has seen a difference.

- f. Wendy Bellmore (57 Catherine Street) – Attests to the tight parking adjacent to the beach areas – the lot lines are very close, there is limited driveway parking and no parking for persons who are required to park on the street because there are no other options available. The Cosey Beach Association took their concerns and questions to the Town Council and upon discussion, the Town Attorney told the Town Council that parking ordinances should come to the Police Commission.

Attorney Zullo explained his legal opinion that the Commission is the Traffic Authority with jurisdiction over the roads in town, and in that capacity, traffic enforcement, parking, etc.. The issue of summer parking is a little dicey because the Recreation Commission technically has jurisdiction over the parking lot to make changes within the lot with guidance from the Town Council. However, anything that has to do with on-street parking would be under the purview of the Police Commission who would be empowered to enact a parking scheme in the beach area if it is determined there are justifiable safety/other reasons to do so. He stressed that it cannot be the Council – citing the competing Tow Ordinance that conflicted with the Commission’s Tow Policy therefore the Council revoked its’ ordinance and defers to the Commission on all traffic-related issues.

Chairman Illingworth asked Commissioner Torrealba to conduct an in-depth investigation into the powers of the Police Commission to enact resident-only parking in the beach area.

Vice Chairman DiSilvestro asked Attorney Zullo if he is aware of any ordinance with regard to enforcement on legally parked cars that would solve the problem. Attorney Zullo is not aware of any ordinance that would allow a police officer to take enforcement action against a legally parked car – that contradicts the concept of “legally parked.”

Ms. Bellmore thanked Attorney Zullo for his comments and Chairman Illingworth for his efforts to determine where this issue falls within the Town structure. The community group would like to say that no matter where we live in the beach community, we want to give support to each other, we

want it to be safe, we want people who come to have a wonderful experience, we want it to be clean and sanitary, and a resource for the entire Town. There are members of the Association who would be happy to offer input and assist Commissioner Torrealba, if wanted or needed.

Commissioner Carbo offered some insight into the ordinance Councilman Santino may have been speaking of (as noted by Ms. Dowd) which was an ordinance proposed to the Town Council in 2010 by the former administration that was never adopted.

- g. Richard Cantore (26 Mallard Lane) – Request for enforcement of speed limits (25 MPH) and stop sign violations on Bradley Street. Chief Lennon will have patrol monitor speed and conduct additional traffic enforcement.

9. Correspondence Received/Sent

- a. Greenview Condominium Association (John Galaty, Property Manager), 2nd consideration dated June 12, 2019; original correspondence dated February 13, 2018 – Per the meeting minutes of May 29, 2018, the Committee’s recommendation was to deny the request for the installation of a stop sign at the entrance of the condominium complex. Clerk Maldonado will send a letter with the committee’s final decision.
- b. Chris Griswold (714 Laurel Street), dated June 24, 2019 – Traffic enforcement.
- c. Nick Auitable (130 Coe Avenue/Breezewood Condos) – Stop sign violations.
- d. Andrea Antonucci (52 Carter Hill Road, Clinton CT) – Request for removal of an unauthorized traffic sign that has been posted on town property at the top of Seneca Trail by the owner at 5 Whitman Avenue.

Chief Lennon commented that we will review the letters and address traffic enforcement issues.

10. Department Updates (Chief Lennon)

- a. Personnel Matters/Injured Employees – Four (4) sworn personnel remain on injured status.
- b. Overtime – New fiscal year; on pace budget-wise
- c. Awards & Commendations
- d. Noteworthy News

11. Old Business

- a. Traffic Violation Appeal Hearings – Commissioner Torrealba noted that several appeal requests exceed the hearing scheduling guidelines pursuant to the Town ordinance which states a hearing will be scheduled within 60 days of receiving an appeal request. He requested written guidance from Attorney Zullo on how to proceed. Attorney Zullo will forward his findings/recommendation to the Commission and Chief Lennon as soon as possible ahead of next month’s meeting.

12. New Business

- a. Discussion and approval of revised Policy 215.5 – Performance Evaluations

Chief Lennon commented that monthly coaching sessions are too cumbersome and have been reduced to quarterly.

Vice Chairman DiSilvestro made a motion to approve revised Policy 215.5 – Performance Evaluations effective August 12, 2019; seconded by Commissioners Flynn and Torrealba. All in favor. No one opposed or abstained. Motion carried unanimously.

b. Discussion and approval of revised Towing Regulations

Chief Lennon commented that a provision was added for heavy-duty wreckers which does not change the current list. Two (2) heavy-duty wrecker companies from neighboring towns have been added to the current tow list (preference is given to in-town companies; of which, there are currently none). The list now has two (2) each of light-duty and heavy-duty tow companies.

Commissioner Torrealba made a motion to approve the revised Towing Regulations; seconded by Vice Chairman DiSilvestro. All in favor. No one opposed or abstained. Motion carried unanimously.

c. Annual Closer to Free Bicycling Fundraiser – Saturday, September 7, 2019

Formal acknowledgement and endorsement of the Annual Closer to Free Bicycling Fundraiser organized to raise funds for the Smilow Cancer Hospital at Yale New Haven Health. The event will start and end at the Yale Bowl on Saturday, September 7, 2019.

d. To consider and act upon a request, pursuant to Article 6, Section 6 of the current collective bargaining agreement, to set a special meeting date and time to review the case of Off. Moriarty and to consider removal from the injury duty list and payroll and separation from service.

Attorney Zullo commented that the Director of Administration & Management is seeking for the Board to set a special meeting date at the convenience of the Board and involved parties. Vice Chairman DiSilvestro made a motion to set a special meeting date – upon coordination of the Board and involved parties through Clerk Maldonado – to review the case of Officer Moriarty; seconded by Commissioner Flynn. All in favor. No one opposed or abstained. Motion carried unanimously.

e. To consider and act upon designating the full membership of the Board of Police Commissioners as the ‘Deputy Chief Search Committee.’

Vice Chairman DiSilvestro made a motion to designate the full membership of the Board of Police Commissioners as the ‘Deputy Chief Search Committee;’ seconded by Commissioner Torrealba. 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 7:45 PM.

Respectfully submitted,

Marsha M. Maldonado
Clerk to the Honorable Board of Police Commissioners

[Audio recording on file – duration 44:33 minutes]