



EAST HAVEN DEPARTMENT OF POLICE SERVICES

471 NORTH HIGH STREET • EAST HAVEN, CONNECTICUT 06512

Mayor Joseph A. Carfora

Honorable Board of
Police Commissioners

HONORABLE BOARD OF POLICE COMMISSIONERS REGULAR MONTHLY MEETING JUNE 30, 2020 AT 7:00 PM

VIRTUAL MEETING VIA ZOOM

COMMISSIONER(S) PRESENT: Vice Chairman Dominic Balletto, Commissioner Eduardo Torrealba, Commissioner Marc Conte

[Due to technical difficulties, Chairman Carbo joined the meeting at 7:18 PM.]

ALSO PRESENT: Chief Edward Lennon, Deputy Chief Patrick Tracy, Clerk Marsha Maldonado, Attorney Michael Luzzi, Mayor Joseph Carfora, Lieutenant David Emerman, Lieutenant Joseph Murgo, Sergeant Joseph Mulhern, Detective Jeffrey Valette, Officer Nicholas Adams, Officer Kershen Bissette, Officer Gregory Borer, Officer Ryan Gorman, Tarjry Ali, Call-In User_2, (203) XXX-3827, (203) XXX-5725

Vice Chairman Balletto called the meeting to order at 7:07 PM.

Due to Governor Ned Lamont's March 10, 2020 declaration of a public health emergency and civil preparedness emergency and subsequently issued Executive Orders, and Mayor Joseph A. Carfora's March 16, 2020 declaration of a state of emergency in the Town of East Haven due to the spread of Coronavirus Disease 2019 in the State of Connecticut including New Haven County, in-person public access to this meeting will not be permitted.

[The public can access this meeting from a computer, tablet, or smartphone. Tonight's regular meeting is taking place remotely via ZOOM. Videoconference links and dial-ins were provided to the public.]

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 26, 2020

Commissioner Torrealba made a motion to accept and approve the regular monthly meeting minutes of May 26, 2020 as received; seconded by Commissioner Conte. All in favor. No one opposed or abstained. Motion carried unanimously.

6. Consider and act upon the approval of the Monthly Reports (June 2020)

Commissioner Torrealba made a motion to accept the monthly reports as received; seconded by Commissioner Conte. All in favor. No one opposed or abstained. Motion carried unanimously.

7. Consider and act upon Committee Reports & Recommendations

a. Traffic and Public Safety (Torrealba)

i. Cosey Beach Avenue

To date, the sub-Committee has received six (6) of the same form letter under separate signatory from residents of the Cosey Beach area requesting temporary speed bumps on Cosey Beach Avenue.

Commissioners Torrealba and Flynn surveyed the area (Cosey Beach Avenue, Palmetto Trail, Hobson Street, Catherine Street) and saw that there are an abundance of traffic signs. He obtained information from the Chief regarding motor vehicle accidents in that area from January 1, 2018 to June 29, 2020 and there have been zero motor vehicle accidents. Therefore, the recommendation from the sub-Committee is that the Board take no action.

ii. Crest Avenue/North Street

Commissioners Torrealba and Flynn surveyed the area and saw that there had been no physical changes to the street from the time since the original letter was submitted in 2017. He obtained an accident report from the Chief for the area (North Street, Vale Street, Park Street and Crest Avenue) from January 1, 2018 until June 29, 2020 and there has been one (1) motor vehicle accident on Crest Avenue and North Street. Therefore, the recommendation from the sub-Committee is that the Board take no action.

[Chairman Carbo joined the Zoom Meeting]

Chief Lennon recognized the concern of the residents and ensures that we will do traffic enforcement when we can between calls for service. In regard to making any other traffic changes, he agrees with the sub-Committee's recommendations.

Vice Chairman Balletto made a motion to accept all the recommendations of the Traffic and Public Safety Committee; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

8. Public Comment

Commissioner Torrealba sees some unidentified [phone] numbers on the call that may be members of the public and thinks that it would be beneficial to afford people the possibility of public comment. He suggests that the Chairman should make an announcement that if a person wants to make use of the public comment they can use the "raise your hand" or chat function, and ask them to identify themselves. If no one wants to address the Board we can move on having met our obligation.

Chairman Carbo called for public comment. There was none.

9. Correspondence Received/Sent

- a. Craig Lang (279 Cosey Beach Avenue), dated May 22, 2020 – Request for temporary speed bumps on Cosey Beach Avenue.
- b. Michelle Morgan (267 Cosey Beach Avenue), dated May 22, 2020 – Request for temporary speed bumps on Cosey Beach Avenue.
- c. Paul Koelle (269 Cosey Beach Avenue), dated May 25, 2020 – Request for temporary speed bumps on Cosey Beach Avenue.

- d. Rob & Robyn Piersielak (270 Cosey Beach Avenue), dated May 25, 2020 – Request for temporary speed bumps on Cosey Beach Avenue.
- e. Detective Benjamin DeCrosta (Retirement Notification), dated June 25, 2020 – Will address under 12.a.
- f. Noreen Clough, President of the East Haven Fall Festival, Inc., dated June 29, 2020 – Will address under 12.g.

10. Department Updates (Chief Lennon)

a. Personnel Matters/Injured Employees

- i. One (1) sworn personnel remains on long term injured; status unknown
- ii. One (1) sworn personnel remains on light duty; no update at this time

iii. Police Officer Recruits

- 1) Three (3) recruits graduated from the Academy today, June 30, 2020 (there was no ceremony due to COVID-19), and will begin field training (FTO) on July 1, 2020 to meet the minimum 400 hour POSTCT requirement. They will be “road ready” in approximately 12-14 weeks.
- 2) Two (2) recruits started the Academy on June 12.

b. Overtime

We are slightly over our overtime budget; however, we can easily cover any deficits from within our regular budget. We are pleased to report that this has been the best budget year we have had over the last few years specific to overtime. Additionally, we will be able to assist the Public Safety Communications Center with deficits in their budget.

c. Awards & Commendations

d. Noteworthy News

II. Old Business

a. Consideration of candidates for promotion to Sergeant

Vice Chairman Balletto made a motion to promote Detective Jeffrey Valette to the rank of Sergeant effective July 15, 2020; seconded by Commissioner Torrealba. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman Balletto made a motion to promote Officer Kershen Bissette to the rank of Sergeant effective July 15, 2020; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

b. Consideration of candidates for promotion to Detective

Chief Lennon requested that we hold off on this until at least the next regular monthly meeting purely to offset the impact these promotions would have on the Patrol Division.

Commissioner Torrealba made a motion to postpone a decision to the July 28, 2020 regular monthly meeting; seconded by Vice Chairman Balletto. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

12. New Business

- a. Consider and act upon the retirement of Sergeant Benjamin DeCrosta and his request for Supernumerary status

Clerk Maldonado read aloud the Retirement Notification letter from Sergeant Benjamin DeCrosta whose retirement date will be June 30, 2020. Sergeant DeCrosta thanks the Town of East Haven for allowing him to have a successful law enforcement career. He is requesting Supernumerary status to continue to share knowledge and assist the Department whenever needed.

Vice Chairman Balletto made a motion to accept the retirement of Sergeant Benjamin DeCrosta; seconded by Commissioner Conte.

Chief Lennon asked for approval of his request for Supernumerary status to which he has no objection.

Vice Chairman Balletto made the motion just to accept his retirement and does not intend to rescind the motion so either vote the motion up or down.

Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

Commissioner Torrealba made a motion to accept the request of retired Sergeant Benjamin DeCrosta for Supernumerary status; seconded by Chairman Carbo. Voice Vote: Carbo – Yes; Balletto – No; Torrealba – Yes; Conte – Yes. No one abstained. Motion carried by majority vote.

- b. Request a certified Sergeant List from the Civil Service Commission

Chief Lennon addressed items b.-f. collectively.

In regard to both the Sergeant and Detective, the Board has already interviewed the candidates and just postponed 11.b. to the next meeting; the issue is that the Civil Service Commission meets the second full week of July and the certified lists need to be recertified to match the dates because the certified lists would expire before the next BOPC meeting. So, it is purely an administrative task to refresh the lists.

In regard to Sergeants, because the Board made two (2) promotions this evening, they will receive two (2) additional names for in-person interviews.

In regard to Grade C Recruits, there is the candidate interviewed/not hired last month and there is one (1) more viable candidate who meets the minimum State requirements that would need to be interviewed.

Chief Lennon proposed a special meeting towards the end of July to conduct these in-person interviews.

In regard, to 12.e. and f., with the promotion of Lieutenant Klarman at the last meeting, there are no viable candidates for multiple lieutenant vacancies so this would be the request to initiate the process for testing which will take several months. Additionally, there are only two (2) viable candidates for Grade C Recruits so we will need to retest which will also take several months.

Chairman Carbo asked his fellow Commissioners if they would be in favor of scheduling an in-person special meeting for July. All were in agreement. Clerk Maldonado will coordinate this meeting with the Senior Center to determine a date and facilitate with the Board.

Vice Chairman Balletto made a motion to request a certified Sergeant List from the Civil Service Commission; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

- c. Request a certified Detective List from the Civil Service Commission

Vice Chairman Balletto made a motion to request a certified Detective List from the Civil Service Commission; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

- d. Request a certified Police Officer – Grade C Recruit List from the Civil Service Commission

Vice Chairman Balletto made a motion to request a certified Police Officer – Grade C Recruit List from the Civil Service Commission; seconded by Chairman Carbo and Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

- e. Request the Civil Service Commission initiate the testing process for Lieutenant

Vice Chairman Balletto made a motion to request the Civil Service Commission initiate the testing process for Lieutenant; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

- f. Request the Civil Service Commission initiate the test process for Police Officer – Grade C Recruit

Vice Chairman Balletto made a motion to request the Civil Service Commission initiate the testing process for Police Officer – Grade C Recruit; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

- g. Fall Festival Road Closure Request

Clerk Maldonado read aloud the letter from Noreen Clough, President of the East Haven Fall Festival requesting the Board approve the closure of Hemingway Avenue between Main Street and Edward Street on Saturday, September 12, 2020 and to make an application to the State to approve the closure. The Committee intends to make a final decision on holding an abbreviated event sometime in July.

Vice Chairman Balletto made a motion to approve the Fall Festival road closure request; seconded by Commissioner Torrealba. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

- h. Discussion and approval of revised policies 201.7 (Code of Conduct); 404.4 (Use of Force); 405.5 (Use of Lethal Force); 406.5 (Less Lethal Force); 407.5 (Force Investigations and Review); 408.5 (Post Incident Deadly Force)

Chief Lennon commented that these revisions are pursuant to the State of Connecticut POST regulation changes under general notice 2004, earlier this month. Essentially, our current protocols already meet these requirements except for a few changes to the language and clarified definitions (neck holds, choke holds, etc.). One additional requirement was that we established a matrix which we adapted from our own progressive de-escalation training and critical decision-making model which meets the State requirements and does not drastically change our existing protocols. Given the current social environment, it is a good time to review with our personnel. A fair assessment would be an effective date of July 15 to allow us to disseminate the revised policies for personnel sign off and training.

Deputy Chief Tracy stated that we are strides ahead having gone through policy reviews with the Department of Justice [while under the consent decree and settlement agreement] and already have the best practices in place. We continuously review our policies annually to ensure we are staying up to date so these updates would be enhancements to our current policies.

Vice Chairman Balletto made a motion to approve revised policy 201.7 (Code of Conduct) effective July 15, 2020; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman Balletto made a motion to approve revised policy 404.4 (Use of Force) effective July 15, 2020; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman Balletto made a motion to approve revised policy 405.5 (Use of Lethal Force) effective July 15, 2020; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman Balletto made a motion to approve revised policy 406.5 (Less Lethal Force) effective July 15, 2020; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman Balletto made a motion to approve revised policy 407.5 (Force Investigations and Review) effective July 15, 2020; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman Balletto made a motion to approve revised policy 408.5 (Post Incident Deadly Force) effective July 15, 2020; seconded by Commissioner Conte. Voice Vote: All in favor. No one opposed or abstained. Motion carried unanimously.

Vice Chairman Balletto made a request to Chief Lennon and Clerk Maldonado that the Board receive the agenda and all supporting documentation no later than the Thursday before the meeting. Secondly, he requested a training on Department regulations and policies for new Commissioners. Chief Lennon will make it happen in the coming weeks.

13. Adjournment

Vice Chairman Balletto made a motion to adjourn; seconded by Chairman Carbo who adjourned the meeting at 8:04 PM.

Respectfully submitted,

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

[Audio recording on file – duration 57:22]