

BOARD OF POLICE COMMISSIONERS
REGULAR MEETING
November 16, 2010

1. Chairman Smith called the Regular Meeting of the Naugatuck Police Commission to order at 7:01 p.m.

Those in attendance were:

POLICE COMMISSION:

Steve Smith
James San Angelo
Linda Mayfield

DEPT. HEADS AND OTHERS:

Chief Christopher Edson
Deputy Chief Josh Bernegger
Jeannette Deschesnes, HR Director

ALTERNATES:

Walter Bertotti
Chris Ford
Andy Barnes
Domingos Branco

ABSENT:

Mayor Mezzo
Bruce Whitaker
Ralph Roper

Public: 4

Staff: 5

Press: 2

2. Chairman Smith led in the Pledge of Allegiance to the flag.

3. **ALTERNATES APPOINTED AS VOTING MEMBERS:**

Chairman Smith appointed A. Barnes, W. Bertotti and D. Branco as voting members in the absence of R. Roper, B. Whitaker and Mayor Mezzo respectively.

4. A motion by A. Barnes and seconded by W. Bertotti to accept the minutes of the Regular Meeting of the Board of Police Commissioners held on October 19, 2010.

Discussion: None

Vote: Unanimous

5. A motion by A. Barnes and seconded by W. Bertotti to accept the minutes of the Special Meeting held on November 4, 2010.

Discussion: C. Ford questioned the number of Commissioners needed to have a quorum. Reading from Special Act 321, Chairman Smith noted that three members of the Commission constitute a quorum.

Vote: Unanimous

6. ANNOUNCEMENT OF RESULTS OF LIEUTENANT'S EXAM:

HR Director Deschesnes presented the results of the written, oral and performance components of the exam to the Commission and it was determined that Steven Hunt was the top scorer for the promotion to Lieutenant. Chief Edson presented the Lieutenant badges to him with applause from the Commissioners and the audience. Chief Edson invited the Commissioners to the swearing in ceremony on November 22, 2010 @ 6:30 p.m. at Jesse Camille's Restaurant.

7. PUBLIC COMMENTS: NONE

8. A motion by L. Mayfield and seconded by J. San Angelo to **add to the Agenda Item #7A Discussion/Possible Action Regarding the Wal-Mart Expansion.**

Discussion: None

Vote: Unanimous

9. DISCUSSION/POSSIBLE ACTION REGARDING THE WAL-MART EXPANSION:

Attorney Danielle Bercury spoke on behalf of Wal-Mart to discuss the expansion of the current store. She explained that special permits for retail and earthen work have been obtained. Traffic studies and adequate parking were discussed. Tom Hogan, Civil Engineer and Sean Kelly, Traffic Engineer presented their data regarding the impact the expansion will have in the New Haven Road area. Proposed mitigation measures were explained with all of the work being completed by Wal-Mart. DOT has not yet signed off on the proposal and the Police Commission Subcommittee will review the plans and make its report at the next meeting.

10. UNION BUSINESS: NONE

11. DISCUSSION/POSSIBLE ACTION REGARDING GRIEVANCES #2010-04 AND GRIEVANCE #2010-05:

Union President Bryan Cammarata asked to have both grievances heard in Executive Session.

12. A motion by W. Bertotti and seconded by L. Mayfield to enter into Executive

Session @ 7:30 p.m. inviting in Chief Edson, Deputy Chief Bernegger, Jeannette Deschesnes, Union President Cammarata and Officers Bosco and Vostinak respectively.

Discussion: None

Vote: Unanimous

The Regular Meeting resumed @ 8:15 p.m.

13. A motion by D. Branco and seconded by J. San Angelo to uphold the Chief's decision to deny Grievance #2010-04.

Discussion: None

Vote:	<u>FOR:</u>	<u>OPPOSED:</u>	<u>ABSTAIN:</u>
	L. Mayfield	S. Smith	
	D. Branco	A. Barnes	
	J. San Angelo		
	W. Bertotti		

14. Union President Cammarata asked the Commission to consider keeping the suspension of Officer Vostinak in his personnel file but to reinstate his pay for the day.

A motion by D. Branco and seconded by L. Mayfield to keep the suspension day without pay on record for Officer Vostinak.

Discussion: Certain Commissioners agreed with Sgt. Cammarata's request to maintain the suspension but to reimburse Office Vostinak for lost wages.

Vote:	<u>FOR:</u>	<u>OPPOSED:</u>	<u>ABSTAIN:</u>
	D. Branco	J. San Angelo	S. Smith
	L. Mayfield	W. Bertotti	
		A. Barnes	

MOTION FAILED.

A motion by J. San Angelo and seconded by W. Bertotti to maintain the one day suspension for Officer Vostinak but to reinstate his salary for the suspension.

Discussion: The Union agreed to give Chief Edson an MOA regarding this action so as to define the terms which entail not setting a precedence or prejudice regarding Grievance #2010-05. D. Branco said he did not want to undermine the Chief's ability to discipline.

All of the Commissioners congratulated Deputy Chief Bernegger and Lieutenant Steven Hunt on their promotions. Chairman Smith asked the Commissioners to review the contact list they received with their personal information for any changes.

21. EXECUTIVE SESSION FOR THE DISCUSSION OF PERSONNEL MATTERS REGARDING OFFICER DEREK VOSTINAK:

A motion by D. Branco and seconded by W. Bertotti to eliminate this item from the Agenda because it had been discussed earlier in the meeting during the hearing of Grievance #2010-05.

Discussion: None

Vote: Unanimous

22. A motion by A. Barnes and seconded by L. Mayfield at 8:45 p.m. to adjourn to the next scheduled meeting on Tuesday, December 21, 2010 at the Naugatuck Police Department, Naugatuck, CT.

Discussion: None

Vote: Unanimous.

ATTEST:

Steven Smith, Chairman
Naugatuck Police Commission