



SEYMOUR POLICE DEPARTMENT

11 Franklin Street
Seymour, Connecticut 06483-2891

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REGULAR MEETING BOARD OF POLICE COMMISSIONERS WEDNESDAY, AUGUST 21, 2019 6:30 P.M. 11 FRANKLIN STREET SEYMOUR POLICE DEPARTMENT

Members present: Robert Koskelowski, Lucy McConologue, David Bitso, Colleen Fries and William Paecht. Also in attendance: Chief Satkowski, Deputy Chief Prajer, Deputy Chief Rinaldi, Officer Gallo, Sergeant Butler, Kyle Kelley, Attorney Holcomb, Officer Tomasella, Officer Pinto, Officer Deida, Officer Oczkowski, Union Attorney, Officer T. Martin, Inspector DeNigris, Sergeant J. Martin, Detective Ditria, Commander Scharf, Detective Matusovich, Nichole Klarides-Ditria, AnnMarie Drugonnis, public and the press.

1. **Meeting was called to order** at 6:30 p.m. by Chairman Koskelowski
2. **Pledge of allegiance:** was led by Chairman Koskelowski

Moment of silence held for Mrs. Ann Conroy

3. **Public Comment:**

Nancy Martin, 38 Columbus Street-when will there be more handicapped parking spaces on Columbus and Bank? There were two spaces before the street was paved now there is only one. Also people are still turning left at the end of Columbus and cars are parked in the Strand Lot with no parking stickers.

Chairman Koskelowski-my understanding is that the town engineer is the one who decided there would only be one handicapped spot and going to take a while for people to not take a left hand turn at the end of Columbus-there is a 'no left turn' sign at the end of Columbus.

Chief Satkowski-will ask the town engineer if the situation can be rectified for the handicapped spot and check if a 'no left turn' sign be posted on the guardrail across the street from Columbus.

Shelia Johnson, 38 Columbus Street-just moved into town and sees officers all the time and feels very comfortable.

4. **Approval of minutes of regular meeting on July 17, 2019:**
William Paecht/Lucy McConologue motion to accept the minutes. **Motion: 5:0**
5. **Commissioners Comments:** None.

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6. Old Business:

Grievance 19-04

- Was read into record
- Chief Satkowski's response was read into record

Attorney Holcomb-concerns about the settle agreement as drafted, not sent to council-section 8 second sentence refers to shift vacancy, under section 3 of Article 13-management has the right to change a work schedule provided it is posted five days in advance, the collective bargaining agreement does not say there has to be a Commander and a Sergeant assigned to each shift nor does it even require two supervisors on each shift, to have only one supervisor on the day shift and because there was no shift vacancy-Seargent Duda had no right to move to day shift, shift vacancy has to last for at least four weeks in order to fill shift-because there was no shift vacancy on the first shift-this doesn't come into play. When Sergeant Parratt was promoted to Commander effective May 10th that created a vacancy in the Sergeant position-filled from promotion list-no collective bargaining violation took place.

Commissioner Fries-resolution doesn't seem to coincide if there was a breach of the agreement-to give 25 officers an extra day off because one person couldn't fill the slot he/she wanted to, respects both Attorney Holcomb's opinion and Chief Satkowski's denial. I don't see how it is not management rights, how did the settlement come to be-did you just assume that this is what the town would accept? And who did you talk to about this settlement?

Union Attorney-disagree with the four weeks vacancy interpretation as this happened in the middle of a bid so it will exceed the four week vacancy. Grievance 18-2- that was almost exactly on point-the commission discussed that there would be a rebid each time there was a promotion, commission decided at the June 19, 2019 meeting that a Commander and Sergeant will be on each shift, in this situation there was no Sergeant on the shift that should have created a vacancy where by the union was to rebid, the union was looking for a rebid which didn't happen so therefore all those individuals who are subsequent to Sergeant Duda are impacted because they were not given the opportunity to rebid. At the last commissioners meeting, this item was tabled, it was proposed that there would be some type of settlement worked out and this was our proposal-the parties left it that they were going to continue talking about it and we sent this settlement to the commission.

Union President Officer Oczkowski-both Commander Fappiano and Commander Parratt were on day shift.

Chairman Koskelowski-if the only vacancy was occurring was a Sergeant position when we promoted Sergeant Parratt to Commander-can't see so many people getting a day off-the only one harmed in this situation was Sergeant Duda, we as a Board, when we made that promotion, allowed two Commanders to work day shift, Chief denial was right on-grievance was basically put in before the fact and I don't believe all these officers were violated. I believe the Board should make Sergeant Duda whole.

Commissioner Paecht-the settlement was given to us yesterday.

Colleen Fries/William Paecht motion to deny the grievance and go to arbitration. **Motion 4:1**
Robert Koskelowski oppose.

6a) Patrol reports: Board accepts the reports. **Commissioner McConologue**-new hires seem to be falling right into the job.

Chairman Koskelowski-does administration feel a Sergeant is needed on second shift until the Sergeant that is injured comes back? The Board has the authority to make a temporary promotion until that Sergeant comes back. Should we appoint a temporary Sergeant until the injured one comes back? If we have too much supervision on the day shift-we should move someone to other shifts, we need a Sergeant on the third shift, only ones that count for minimum shift requirement are patrol, under the plan the Board of Police Commissioners set up over a year ago-we would have one Deputy Chief and one Detective work the second shift and that has not happened, we are in charge of the personnel and assignments in this department.

Chief Satkowski-how would we pick that person, we have five supervisors right now for six slots-all for supervision, the Deputy Chief and Detective working second shift is occurring-there has to be some flexibility in regards to meetings and training, if you make any deviation from the current schedule there is potential for overtime without revamping the schedule-rebid again-movement of junior patrolmen.

Deputy Chief Prajer-yes for staffing as the individual will be out definitely through this bid, a Commander is by himself on third, 50% of the third shift is less than one year on the job, to limit the town liability and risk we felt that the tenor being so low on the third shift there should be two supervisors on, the administration does not count towards minimum staffing but we are here as a resource to mitigate if the acting officer in charge has any questions or a situation may arise.

Commissioner McConologue-is the third shift Commander working both as Commander and Sergeant? Third shift has the people with the least experience.

Commissioner Bitso-likes the idea to fill the position with a temporary Sergeant-great way to get experience. So it is possible a junior officer would go to first shift?

Commissioner Paecht-the majority of new recruits are all on third shift right?

Commissioner Fries-does management believe they need two supervisors on the first and second shift? We all agree there should be two supervisors on third shift but do we need them on all shifts?

David Bitso/Colleen Fries motion to appoint a temporary acting Sergeant on the third shift until the injured Sergeant comes back. This person will be used where necessary according to seniority.

Motion: 5:0

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Union Attorney-what the Board is attempting now to do will violate section 1 Article 18 of the contract, there is language in the contract regarding acting positions but unfortunately not a Sergeant, taking money away from the individual who would have been OIC, the OIC could be the temporary Sergeant don't pull someone off another shift.

Union President Officer Oczkowski-right now the OIC gets the Sergeants pay when they are in charge if there is no Commander or Sergeant-the next guy in line who has more seniority gets the extra pay.

Inspector DeNigris-if there is no supervisor working the shift then the senior officer is right now the acting supervisor so there is an acting supervisor on every shift twenty four hours a day, not an acting Sergeant.

Chairman Koskelowski-there is no acting Sergeant on the third shift so this does not violate the contract because we are making a position. I interpret Article 18 totally different than the union does.

Chief Satkowski-management has the right to create acting positions, the Board is feeling they want to create something more permanent, a union employee is still getting a higher rate of pay, could have someone who only has two months on the job be the OIC, if Officer Phouangphiarith does not accept the position than everything will remain as is currently.

William Paecht/David Bitso motion to have Officer Phouangphiarith fill the temporary acting Sergeant position, if he accepts, and back fill in where the vacancy may be. **Motion: 5:0**

William Paecht/Lucy McConologue to place on the table the promotion of Officer Devlin to full time officer. **Motion: 5:0**

William Paecht/David Bitso motion to promote Officer Devlin to full time police officer status. He will be third in seniority after the other two get sworn in. **Motion: 5:0**

6b) Detective report: Board accepts the report. **Deputy Chief Rinaldi**-sex assault warrant issued, car break ins, overdose death and review the detective position to go to second shift on a month to month basis.

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6c) **K-9 reports:** Board accepts the reports.

Revisit Sergeant Butler having a K-9 dog

Chairman Koskelowski-put up a sign up sheet-see who is interested in being a dog handler-not to hire one immediately-Sergeant Butler will have to sign off that he will be liable for the dog and not the town.

David Bitso/Lucy McConologue motion to put up a signup sheet tomorrow and be taken down in two weeks. **Motion: 5:0**

Chairman Koskelowski-received a letter from K-9 Officer Oczkowski-going through this letter I'm not going to read it as I don't believe it would be fair to the Chief-as his name is in this letter.

Commissioner McConologue-I spoke with FOI-because of what is contained in the letter it is a complaint and that the Chief should have been notified and it would be up to the Chief on whether he wanted this discussed in executive session or open session.

6d) **SRO reports:** Board of Education has hired two SSO to cover the elementary schools. Officer Tomasella will be the SRO for the Middle School and Officer Friedlander will be the SRO for the High School.

6e) **Car Report:** Board accepts the report.

7. **New Business:**

Chairman Koskelowski-did the new recruits get their \$ 300.00 uniform pay yet? So we don't have to give them that money?

Chief Satkowski-the \$300.00 uniform pay was a courtesy, since the officers now get \$ 2,250-\$ 3,000 because of the grievance-they did not get the \$ 300.00 uniform allowance-we are not obligated by contract to pay it and there is no past practice.

Commissioner Bitso-was that \$ 300.00 in writing in the contract?

8. **Management Report: Chief Satkowski**-We are on track to meet all our projected income for the year, fatal motor vehicle accident, youth academy a great success, new officers are doing great, school starts on August 28th, applied for seat at FBI academy but did not get it-still on the list for 2021, one computer received a virus-isolated incident, citizen academy upcoming and coffee with a cop at Starbucks.

9. **Correspondence:** Wildcat kick off club thank you letter

Letter received from Seymour Police Union regarding the golf tournament-was not posted on the Seymour Police Facebook page-Chief did not want any conflict as it is the Union holding the event and not the police department. Commissioner Fries was offended by the last sentence of the letter.

10. Other Business:

Chairman Koskelowski-the weapons from SIG-have they been replaced?

Chief Satkowski-SIG is behind but the paperwork has been filed and the weapons are in the process of being replaced.

11. Commissioners Comments:

Chairman Koskelowski-I received a verbal complaint from a Fire Chief-have not received anything in writing-from a motor vehicle accident concerning one of our officers at the scene. What is the Board's pleasure when a verbal complaint is received? Do we, in this department, if there is a complaint against any officer even though it is a verbal complaint, do we punch a ticket and then investigate before we even get a written complaint? Should I contact the individual and ask if that is an official complaint? Does the Board want me to request a copy of the letter under FOI? We are in charge of all personnel-not the First Selectman-we discipline. I was surprised about the complaint and wanted to know what do we do with a verbal complaint. The charter is very specific about what our duties are.

Commissioner McConologue-we have a format in place, tell the individual to follow the procedure to file the complaint. If they contacted you, they should be giving you a copy.

Deputy Chief Prajer-complaint forms are available to any citizen, any complaint whether it is written or verbal will be taken and a thorough and complete investigation is conducted-often times a complaint may just be a misunderstanding of procedure. If a complaint comes into the police department, the supervisor will take the complaint and file it with the administration. Have to be cognizant of the nature of employees or people that are paid for and work for departments to be able to differentiate between a civilian complaint and personnel issues.

Chief Satkowski-I believe most of that situation has been rectified and there is no complaint so I would be very cautious.

Commissioner Paecht-put it in writing, so anybody can call any commissioner and complain? What if a complaint comes into the department? That person should contact the police and make a formal complaint.

Commissioner Bitso-if a letter was sent to the Fire Commission, it should be public information and you should be requesting a copy of the letter.

Commissioner Fries-I would contact that person and say policy is that you have to file something in writing.

12. Union Business:

Union Attorney-the union is pursuing a potential MPP on the interaction that occurred on the K-9 position-based on what has happened tonight we will be reassessing our position on that. What is the status of the surveys-are they going to be inspected or considered by the commission? The union members do not have an issue if the surveys are opened up in open session.

Commissioner Bitso-they are secured and have not been touched.

Chairman Koskelowski-If you open them up, you will have to do so in open session and I don't feel comfortable doing that as there could be names mentioned. If someone FOI us, then we would have to open them up, we do have the surveys we are not going to throw them away but I have no intention of opening them up unless we are forced to. We, unfortunately, did not research this as good as we should have.

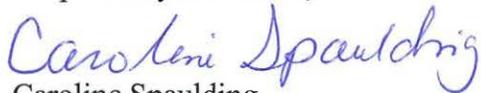
Commissioner McConologue-even if you open them up under FOI, any material you open up and look at is available to anyone to request to see them, any person could access the surveys.

David Bito/Colleen Fries-motion to table a decision at this time. **Motion: 5:0**

13. Public Comment: None.

14. ADJOURNMENT: David Bisto/William Paecht motion to adjourn the meeting at 8:45 p.m. **Motion: 5:0**

Respectfully submitted,



Caroline Spaulding
Recording Secretary