



SEYMOUR POLICE DEPARTMENT

11 Franklin Street
Seymour, Connecticut 06484-2891

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MINUTES-REGULAR MEETING BOARD OF POLICE COMMISSIONERS THURSDAY, APRIL 11, 2013 7:00 P.M. 11 FRANKLIN STREET SEYMOUR POLICE DEPARTMENT

Members present: Lucy McConologue, John Popik, James Simpson and Steve Chucta. (Frank Conroy absent). Also in attendance: LT. Satkowski, Acting LT. Rinaldi, Det. Sgt. DeNigris, Sgt. D'Antona, retired Det. Sgt. Goodmaster and Det. Nihill.

1. **Meeting was called to order** at 7:01 p.m. by Chairwoman McConologue.
2. **Pledge of allegiance:** was led by Commissioner Chucta.
3. **Public Comment:** Sgt. D'Antona, president of Local 564, informed the Board of an upcoming grievance in regards to private duty.
4. **Approval of minutes of regular meeting on March 14, 2013**
Steve Chucta/John Popik motion to accept the minutes **Motion: 4:0**
Approval of minutes of special meeting on March 21, 2013
Steve Chucta/John Popik motion to accept the minutes **Motion: 3:1**
(Lucy McConologue abstain)
5. **Commissioner's Comments:** Commissioner Simpson thanks Sgt. D'Antona for the heads up on the upcoming grievance. For the future, grievances will be either emailed to each of the commissioners so they have more time to review them or Chairwoman McConologue will have a copy hand delivered to each commissioner.
6. **Old Business:**
 - 6a. Report from Patrol Division – Board accepted report as handed out.
 - 6b. Det. Division - Board accepted report as handed out.
 - 6c. K-9 – Board accepted report as handed out.
 - 6d. Fleet Maintenance – Board accepted report as handed out.

7. New Business: Union Grievance 2013-1

James Simpson/John Popik motion to affirm the grievance.

Discussion took place on grievance 2013-1.

Commissioner Popik states that article 5 section 1 says the Town has the right to discipline or discharge employees for just cause. He is troubled by the standard used to discharge (retired) Det. Sgt. Goodmaster. Commissioner Popik asked (retired) Det. Sgt. Goodmaster if prior to leaving service with the Town of Seymour, was there a performance duty evaluation or medical exam done other than you attaining the age of 65? To which (retired) Det. Sgt. Goodmaster answers no sir. Commissioner Popik asks the question on March 9th did you leave under your own free will or were you forced to leave? (retired) Det. Sgt. Goodmaster answers I was told I was finished that I no longer work here. Commissioner Popik feels that (retired) Det. Sgt. Goodmaster turning 65 does not meet the standard for just cause to discharge.

Commissioner Simpson states objectively looking at the Board of Selectman meeting, does not see any articulate reason why (retired) Det. Sgt. Goodmaster was not allowed to continue. Also, the response by the Chief states that there is no violation of any section or article 5 not disciplined nor was he discharged, however, Commissioner Simpson feels he was discharged as he is no longer gainfully employed by the Town, which is in contrast to what actually happened.

Chairwoman McConologue states that the State mandates that at the age 65, regardless of how many years worked, they have to retire unless there is an extension. This Board did not deny anything, it was done by the Board of Selectman. Any action that you take tonight, would be overturning action taken by the Board of Selectman, which as a Board we cannot overturn that decision.

Commissioner Chucta agrees that this Board cannot go against the Board of Selectman.

Voting is as follows:

James Simpson votes yes to affirm the grievance

John Popik votes yes to affirm the grievance

Steve Chucta votes no to affirm the grievance

Lucy McConologue votes no to affirm the grievance.

Motion fails because of a 2/2 vote and the grievance is denied.

Commissioner Simpson would like an explanation on how the grievance fails. Chairwoman McConologue states that under Roberts Rules, a tie vote ends up being a no vote you have to have a majority vote for something to pass or to fail.

John Popik/James Simpson motion to go into recess at 7:40 p.m. until the issue can be clarified regarding Roberts Rules.

John Popik votes yes to go into recess

James Simpson votes yes to go into recess

Steve Chucta votes no to go into recess

Lucy McConologue votes no to go into recess

There was no recess taken, Chairwoman McConologue leaves the meeting to get the answer regarding the tie vote and Commissioner Popik takes over the meeting.

8. Management Report: LT. Satkowski reports the DWI grant reimbursement has gone into the overtime acct, 35 hours of overtime for the bank robbery, BOE is not supporting SRO's- most likely will come out of the budget-Mark Pinto has passed his tests, Chapter 9 of the duty manual was handed out, last month one of the three candidates that were hired has dropped out, Bridgeport police officer might be looking to transfer, second phase of active shooter training on going, Detective exam to be held on April 24, 2013 and Code Red system was a great tool for locating a missing child.

9. Correspondence: None.

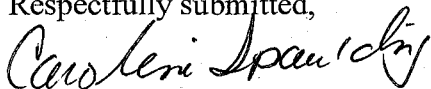
10. Other Business: None.

Chairwoman McConologue returns to the meeting at 7:52 p.m. and notifies the Board that she has spoken to First Selectman Kurt Miller who confirms that a tie vote means that the motion fails, however, a phone call will be placed to the town attorney to get legal opinion.

First Selectman Kurt Miller returned a phone call and was placed on speaker phone. Per his conversation with the town attorney, under Roberts Rules of Order, if the motion ties it fails.

11. ADJOURNMENT Steve Chucta/John Popik motion to adjourn the meeting at 8:10 p.m. **Motion: 4:0**

Respectfully submitted,



Caroline Spaulding
Recording Secretary