



Derby Police Commission

Derby, Connecticut 06418

Commission

Robert J. Hughes , Chairman
Theodore J. Estwan Jr.
Leo DiSorbo
Terri Kuskowski, Secretary

Traffic Authority

Robert Hughes
Theodore J. Estwan Jr.
Leo DiSorbo
Eugene L. Mascolo

A meeting of the Derby Board of Police Commissioners was held on 10 MAR 08 at the Derby Police Department, 125 Water Street, Derby.

The meeting was called to order at 7:00 P.M. by Chairman Hughes.

1. Pledge of Allegiance

2. Roll Call

Present were Commissioners Hughes, Estwan and DiSorbo. Also present was Chief Mascolo.

3. Additions, Deletions or Corrections to Agenda

Chief Mascolo requested that the following two changes be made:

- LT Todd's Local Traffic Authority Report be reviewed under Section 8
- Discuss of ongoing lawsuits and criminal investigations be added to Executive Session.

Commissioner DiSorbo made a motion to accept the changes and Commissioner Estwan seconded. All were in favor and the motion was passed.

4. Public Portion

Ms. Renee Luneau and Mr. John Esteves were in attendance and made the following statements:

Renee Luneau: "As a Derby resident I must say that I find it shameful to see a Board of Police Commissioners that isn't doing anything to assist Derby residents who are disabled. I also find it interesting that the Board of Police Commissioners' meeting scheduled for last month was cancelled for a lack of quorum. I've seen plenty of minutes from previous meetings where only two of the three commissioners were available or another ranking official from the police department took the chief's place. Mr. DiSorbo reiterated that Mr. Hughes was out of town but that he and Mr. Estwan were available. He also stated that the chief was on vacation but I've also seen in previous minutes that the deputy chief has covered. My issue with parking is not even an issue anymore as I am not going to



Derby Police Commission

Derby, Connecticut 06418

press this matter for self serving purposes. Although my recovery was quick, it was still painful and I only experienced for a short period of time a fraction of what disabled people encounter. It doesn't appear that Derby is concerned about this as up until my issue surfaced we did not have an ADA coordinator in this administration. Thank you for denying my application, now I know that you do not have any uniform procedures for the application process or issuing of disabled parking spaces. Scott Boulton spoke with Linda Sagarese from the State of CT office of advocacy of protection on Thursday, January 10, 2008, and asked if my application could be turned down based on 14-253a. She adamantly told him that it could not and that the statute only applied to parking lots not on-street parking. This is apparent to anyone with any knowledge of the law when reading the statute. The reason why width doesn't matter on the street is because any van equipped with a lift for transporting a disable person has a lift located on the passenger's side of the van which is lower to the curb sidewalk. No van would have a lift opening on to the driver's side as it is common sense to not have someone entering the road directly into traffic. The reason that there is cross hatch for vans in parking lots on both sides is to accommodate the lift whether the van pulls in or backs into a parking spot. On January 14, 2008, four days after SGT Boulton spoke with Linda Sagarese, the Board of Police Commissioners turned down my request specifically on 14-253a. Mr. Estwan stated that to accept my request would be quote on quote "against the law" clearly displaying his lack of knowledge in this area. I am requesting that I be forwarded the ADA grievance procedures immediately from the City of Derby and do plan on contacting the Department of Justice. Anyone at anytime can face the prospect of becoming disabled and now I will see to it that the City of Derby provides for its citizens able bodied or not. I am aware that every application requesting handicap parking in New Haven where a resident did not have a driveway was granted. The average road in New Haven is narrower than Hawthorne Avenue, but the difference in New Haven is that the ADA coordinator is very well versed in disability law. I would highly suggest that people who run and work in the City of Derby become more familiar with these laws rather than expose myself and other taxpayers of Derby the threat of any future lawsuits. I would also like the findings of Derby's corporation council forwarded to me in writing as to why they believe 14-253a would apply to my situation. It is my desire to rectify the issue of handicap parking in Derby now so that anyone with any future questions or concerns are aware of uniform procedures."

John Esteves: "I am the director of the disability resource network in Ansonia. I'm also appointed by the governor with the state disability council and the bureau for rehab services. I was made aware of this situation, I just wanted to address the



Derby Police Commission

Derby, Connecticut 06418

policy of some of the towns in Bridgeport like Stratford and Bridgeport does have a program for issuing handicap signs in front of a person's house with a disability, a mobility impairment especially for obvious reasons for really bad sidewalks, people that have lifts that have hills in their neighborhood and can't push up a half a block or even a whole block because of bad sidewalks, hilly terrain. They had to have an ADA coordinator with two other people that the town would either put on the panel or a person with a disability that would qualify or there is a mechanism for having providing medical information. If you guys wanted to do something like this or were going to implement a program like this I would help you / assist you in that, but I really think I met a lot of families in Derby especially kids who come to my program that either have a mobility impairment that don't have driveways. My home, myself, I live in Derby have a driveway so it's not a issue but in a lot of the streets here in Bridgeport as well as Ansonia and some of the other towns I think you should really consider how to either have a program or if you don't have one I can implement a program like this where someone could / once they meet the legal requirements under the ADA I think under a reasonable accommodation they should be able to have this its just like the law provides for having so many handicap spots in a store parking lot or any kind of public building or having access to a building. It's almost like denying access to a person's home. If a person can't park in front of his house and has to park half a block down the road and can't get up the street on their own, you're almost denying access to their home. I think you should really consider how to make something like this happen. If you were to go to the Office of Protection & Advocacy for the State of CT they would support this program and wouldn't say force but it almost has to be implemented under the ADA in some form or fashion whether you deny a person or how that procedure is done. You have to put that together but I think you have to have a mechanism at least for people for applying for."

Commissioner Hughes asked three times if anyone else would like to address the board. Hearing no one else from the public, the public portion was closed.

5. Acceptance of Minutes

A motion to accept the minutes from the 14 JAN 08 meeting was made by Commissioner Estwan and seconded by Commissioner DiSorbo. The motion carried unanimously.

6. Department Reports:

Chief Mascolo reviewed multiple department reports including the status of the police department's current budget and the January and February monthly activity



Derby Police Commission

Derby, Connecticut 06418

reports. He also informed the commissioners that the DPD will be transferring its Justice Assistance Grant for Local Law Enforcement (JAGLEE) funds from Valley Council of Governments to South Central Criminal Justice Administration (SCCJA). SCCJA, which comprises of 18 towns, is expected to use these funds towards executive training programs.

The chief also notified the commissioner's that Officer Maler had resigned and Officer Cota is retiring. The DPD is now in the process of hiring two replacements. Their expected start date, after testing and recruit training, would be early 2009.

The Chief requested that the Board approve Officer Maler's request for a six month leave of absence and his request to maintain Supernumery status. Commission Estwan accepted the chief's motion, Commissioner DiSorbo seconded and the motion was carried unanimously.

DPD will be participating in the "Fly the Blue" campaign from 15-17 MAY 08 to show support of fellow officers and those who have sacrificed their lives in the line of duty.

Officers have attended or will be attending the following training:

- Command staff attended leadership training at POST this month
- Deputy Chief will be attending a FBI New England Law Enforcement Executive Development Seminar in MAR 08
- LT Todd and SGT Boulton will attend the first of a four course LTA training program in April.

The chief announced that the department now has 5 members for the Honor/Color Guard and they are expecting to receive new Class A uniforms soon.

The chief also reported that the department is still working on bid specifications for the department roof project. The department will also entertain the possibility of a solar project.

Officer Bartone has officially accepted the SRO position and has completed his training course. The superintendent and the DPD are in the process of completing the SRO job description as well as the memorandum of understanding. Chief Mascolo does not recommend that Officer Bartone begin working at DHS until these documents are officially finalized. Officer Bartone is expected to begin his duties as SRO mid-April 08.



Derby Police Commission

Derby, Connecticut 06418

Chief Mascolo also noted that the recruits are doing really well in the FTO program and have approximately six weeks before they are officially sworn in.

The chief briefed the commissioners regarding the police department's participation in the design of the security system at the new middle school. The commissioners briefly discussed security at the middle school and Commissioner Estwan requested that a meeting be held to discuss security at the high school. The commissioners agreed that a meeting should be held between the Superintendent, the BOE and DPD.

7. Communications

Chief Mascolo forwarded the commissioners a "thank you" letter from a Derby resident praising the work of dog warden, Mr. Klapcik.

8. Traffic Authority Business:

The commissioners reviewed and discussed the LTA Report from LT Todd. Chief Mascolo requested that the board approve LT Todd's recommendations for the following:

- Reinstatement of the residential parking program near Griffin Hospital. Residents will need to acquire parking stickers. The department will issue warnings for thirty days with aggressive enforcement of resident only parking thereafter.
- Increase of police car usage fees for outside contractors to \$10.00 per hour, then to \$20.00 per hour.

Commissioner Estwan motioned to accept the above mentioned requests and Commissioner Hughes seconded. The motion carried unanimously.

The Patrol Division will coordinate with the parking authority on their request regarding downtown handicap parking spaces and forward a recommendation to LTA.

The Patrol Division also needs to investigate complaints regarding problems exiting the Bradley Pond parking lot onto RT 34. Patrol will forward recommendations to LTA.

9. Old Business

There was no old business discussed.



Derby Police Commission

Derby, Connecticut 06418

10. New Business

There was no new business discussed.

A motion to go into executive session and have Chief Mascolo present was made by Commissioner Estwan, seconded by Commissioner DiSorbo, and was carried unanimously. The purpose of the executive session was to discuss the following items:

- Review current workers' compensation claims
- Discuss status of outstanding grievances
- Discussion of ongoing lawsuits and criminal investigations.

The Board went into executive session at 8:12 PM and the meeting adjourned thereafter.

Respectfully submitted,

Terri Kuskowski

These minutes are subject to the Board's approval at their next scheduled meeting.