



# Town of Trumbull

## TRUMBULL POLICE COMMISSION

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## POLICE COMMISSION

RAYMOND G. BALDWIN, JR., CHAIRMAN  
ANGELO MAGLIOCCO, VICE CHAIRMAN  
JOHN VAZZANO, SECRETARY  
ALBERT ZAMARY, COMMISSIONER  
CHRIS TREFZ, COMMISSIONER

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Trumbull Police Commission Meeting  
Trumbull Police Department  
January 12, 2021

### MINUTES

The Trumbull Police Commission meeting was called to order via virtual at 6:00 p.m.

Members present: Raymond G. Baldwin, Jr., Chairman  
Angelo Magliocco, Vice Chairman  
Chris Trefz  
Johan Vazzano  
Albert Zamary (joined meeting at 6:20 p.m.)

Also Present: Chief Michael Lombardo  
Assistant Chief Glenn Byrnes  
Deputy Chief Leonard Scinto  
Attorney Floyd Dugas  
Thomas McCarthy, Director of Human Resources  
John Miller,  
Detective Sergeant Robert Coppola, Union President  
Detective Kyle Lavin, Union Vice President  
Sergeant Matthew Perkowski

### **Public Comment**

Opened Public Comment at 6:02 pm.

There were no public comments. Public Comment was closed at 6:03 p.m.

### **Approval of the December 15, 2020 Special Police Commission Meeting Minutes**

Motion made to accept the Special Police Commission Meeting Minutes of December 15, 2020 as presented. Motion made first by Trefz, seconded by Magliocco. There was no further discussion. Motion passed with one abstention, Vazzano.

Chairman Baldwin asked that Item 8, New Business be moved before Chief's Report.

Motion was made by Chairman Baldwin to move Item 8, New Business, Step II – Union Grievance 20-05 and Step II – Union Grievance 20-03, seconded by Commissioner Trefz. There was no further discussion. Motion passed unanimously.

Chairman Baldwin explained Grievance 20-05 is regarding Sergeant Matthew Perkowski. Chairman Baldwin asked for Human Resource for the Town of Trumbull, Thomas McCarthy to explain the second step grievance process. Attorney Floyd Dugas will be acting as the advisor to the Police Commission throughout the hearing.

Mr. Miller indicated that he believes that they should go into Executive Session to discuss personnel matters.

Mr. McCarthy he explained to Mr. Miller that he was going to do an overview of what the second step grievance process is and then Chairman Baldwin would be asking if the Grievance would like to be discussed in open session or executive session.

Mr. McCarthy went on to explain that a discipline has been given to Sgt. Perkowski and the discipline is being challenged at Step I and Step II is for the Grievance to come before the Police Commission. This is for the Police Commission to make a determination if they agree or will dismiss the grievance. That determination will be based on what they hear at meeting tonight and with the documents that have been provided to them. The Chairman will go over the documents the Police Commission has been provided for their decision-making on the grievance. The first question that will be asked is the right of the Sergeant wanting to have an open or closed hearing. Depending on the answer that will depend on how to go forward with the meeting. If it is decided to go into Executive Session it will be done in another room and only the people invited to the Executive Session will participate which will be determined by the Chairman. Attorney Floyd Dugas will be representing the Town of Trumbull and John Miller will be representing the Trumbull Police Union.

Chairman Baldwin asked Mr. Miller if they would like to have the grievance discussed in public session or executive session.

Mr. Miller indicated the Union would like both grievance be discussed in executive session.

Motion was made by Chairman Baldwin to enter executive session at 6:10 to discuss Step II, Union Grievance 20-05, seconded by Commissioner Magliocco. There was no further discussion. Motion passes unanimously.

Entering Executive Session; Police Commissioners Baldwin, Magliocco, Trefz, Vazzano, Chief Lombardo, Assistant Chief Byrnes, Deputy Chief Scinto, Attorney Dugas and

Attorney McCarthy, Sergeant Perkowski, Attorney Miller, President Robert Coppola, Vice Chairman Kyle Lavin.

Attorney Dugas asked for clarification what Step II, Union Grievance 20-03 relates too.

Chief Lombardo explained that the grievance is relating to the notice of investigation. When an officer is accused of something an internal affairs investigation and what is given to the officer of the notice of investigation. They being told they are being interviewed or they are provided details of the complaint in the notice of investigation. There is a difference of opinion on how works and what a citizen complaint for is.

Attorney Dugas indicated that if it does not specifically involve Sgt. Perkowski's performance and it is more of a contract interpretation issue, he does believe it is appropriate to enter into executive session. Attorney Dugas suggested that grievance be held in public session.

Motion was made by Chairman Baldwin to exit Executive Session at 6:54 p.m., seconded by Commissioner Magliocco. There was no further discussion. Motion passed unanimously.

***Step II, Grievance 20-03***

Attorney Miller, referred to Article 17, Section 1, Subsection [a] in the Police Union Contract. Under Subsection [a] the language is clear, "employees against whom a complaint has been received shall be notified of such complaint by the Chief or his designee in writing, accompanied by a copy of the complaint form within 15 days of the receipt..." Sgt. Perkowski never received a copy of the complaint within 15 days of receipt. The complaint was the Shelton Police Report. If they want to say complaint form, as it says in the contract, a form was never given or filled out by the Department. If the Department states that they do not have one then they are in violation of the contract.

Chief Lombardo indicated that the contract reads under Subsection [a] the language is clear, "employees against whom a complaint has been received shall be notified of such complaint by the Chief or his designee in writing..." Lt. Allen sent the employee a notice of investigation. It subsection [a] also states "accompanied by a copy of the complaint form within 15 days of the receipt..." a complaint form is a citizen complaint form. The Department took it upon themselves to conduct an internal affairs investigation based on the information provided by the Shelton Police Department. Their report was a criminal ongoing investigation. Chief Lombardo indicated that he is aware earlier it was said that investigation was immediately closed, that is not the case. That is not what was said by the investigating Detective. It went on for about a week and the victim in this particular case changed her mind as to whether she wanted move forward in filling a criminal investigation. The Shelton Police Report was forwarded to the Department and Chief Lombardo ordered an Internal Affairs investigation. It is an internal

complaint; it is his complaint to Internal Affairs indicating he wanted this incident investigated. The Chief does not fill out citizen complaint forms. He orders the Internal Affairs Division to conduct an investigation. It is an internal complaint based on the information he learned from the Shelton Police Department. In this particular case in which the Union grieved, they asked for a copy of the Shelton's Police Report. Chief Lombardo is not giving anybody an ongoing criminal investigation from another Department because then it would be made public. The Chief does not have the ability to do that with an outside agencies police report.

Chairman Baldwin indicated that it is safe to say that the victim in this matter never made a civilian complaint to the Trumbull Police Department is that correct.

Chief Lombardo responded that is correct. It was based on his internal complaint to the Internal Affairs Division.

Attorney Miller asked if the Police Commission would look at "Section 1, The following procedures shall be followed by the Department in the event departmental disciplinary action is contemplated against an employee as the result of an internal or Civilian complaint..." Mr. Miller indicated the Department does not get to pick and choose when then want to use a complaint form.

Chief Lombardo indicated a Civilian Complaint is something that a civilian completes. An internal complaint, the officers receives what the Lieutenant sends to the officer. It does read, "in the event departmental disciplinary action is contemplated against an employee as the result of an internal or civilian complaint..." the Chief would have given Sgt. Perkowski a complaint form if one existed, one does not exist.

Mr. Miller brought up another point, is Section 1 [a] Chief Lombardo refers to the complaint form being civilian complaint form. Mr. Miller does not see the work "civilian" it just says complaint form. There was nothing further from Mr. Miller.

Chief Lombardo indicated again there is no complaint form, it does not exist there was no complaint made from someone on the outside. The complaint form is his order to Internal Affairs to conduct an investigation. Chief Lombardo is the complainant.

Chairman Baldwin if there were any questions from the Commission. There was none.

Chairman Baldwin indicated that he will conclude the grievance and the Commission has thirty (30) days to surrender a decision and notice will be sent to the Union.

### **Chief's Report**

#### **Correspondence**

Thank you note to Officer Murphy who assisted an injured Trumbull High School employee during a snowstorm.

Lunch sponsored by the Fairfield County Trauma Response Team.

Lunch provided to the Department from Trumbull resident and snacks for the canine officers.

Parent from Oregon requested a patch for their daughters collection we mailed them some patch stickers along with a challenge coin.

Letters from the Police Officer Standard and Training Council regarding Officers Hatsis and Singh as they have completed their training with POST and have now moved on to the Departments Field Training. Once they completed the training, they will be Certified Police Officers.

Commendation memo to Detective Lieutenant Weir for the incident that occurred at the Trumbull Mall.

Thank you note to officers as they helped a patron at Kohl's as her mother fell and the officers assisted.

Email from Chief Lombardo thanking Lt. Jones, Officer Massa and Dispatcher DeSanty how they handled notice of a deceased person in the town to relative in Florida.

#### **Operations**

Chief Lombardo reviewed the Calls for Service Report for the month of December, which showed 1328 calls. There were 118 Motor Vehicle Enforcement calls and 78 Criminal Activity for the month of December.

There were 108 Alarms for the month of December.

Incident Statistics Report for the month of December showed 1,328 cases. The SRO Reports showed the Activities for SRO Duva, Bartosik and Federowicz for the month December.

Chief Lombardo mentioned the passing of retired K-9 Storm; Officer G. Lee had to make the decision to lay K-9 Storm to rest due to a terminal illness.

The Arrest Summary Report Adults showed there were 25 arrests for the month of December.

### **Traffic Division**

The Traffic Report showed 43 cases for the month of December that Officer Siljamaki handled.

### **Detective Division Report**

Chief Lombardo reviewed the Detective Division Monthly Activity report for the month of December. The division has 31 open cases, which include 10 new cases.

Chief Lombardo reviewed the Monthly Status Report for December.

Chief Lombardo mentioned an article from the United States Attorney's Office District of Connecticut regarding a Bronx man indicted for alleged role in car theft ring. The Trumbull Police Department was heavily deeply involved in this case.

AC Byrnes indicated this is a noteworthy case as it developed from a single stolen car that was recovered by the Department. The investigation and initiative of Detective Sgt. Pires and primarily Detective Lavin in developing a variety of information that followed from that case and uncovered a major stolen car ring, which is still ongoing by the FBI. The release details one arrest that was made of one of the individuals responsible for stealing the cars. The final paragraph the Department is noted but it much more prominent than that. The entire case was developed through the Department. AC Byrnes gave the Detectives tremendous credit for initiating this case.

### **Training**

Chief Lombardo reviewed the Training Report for the month of December.

### **Cadet Report**

The Cadet Activity Report showed planning meetings for the month of December. Officer Fedor is looking to restructure the program to recruit more youths. They are looking to possibly working with EMS and the Fire Department.

### **Sick/Injury Report**

Chief Lombardo reviewed the sick/injury report for the department for December.

### **Budget**

Chief Lombardo reviewed the Budget Report and reported the Department's budget is where it is supposed to be for the year. The salary line is higher due to the officers having two years of raises and retroactive pay, which was not budgeted for this fiscal year. Unfortunately, that is not something the Department has control of.

AC Byrnes indicated there are three pages of Budget material provided. The first page being the current fiscal year and the second two pages are the Budget proposal for the next fiscal year beginning July 1, 2021. The balance sheet shows the table with 50% remaining for the current fiscal year budget. AC Byrnes is confident that they will be

able to end the fiscal year in good shape. AC Byrnes moved on to the next two pages, which show the FY 2022 Budget Proposal. He indicated there are no specific major increases. There are two noteworthy items that should catch the Commissions attention; they are the Salary line, which reflects three years of raises that is why it has a significant percentage. The second is what Chief Lombardo mentioned with the recent legislation with the Police Accountability Bill, which was passed this last October. The concern with that Bill is that has brought forth a variety of mandates for all police departments in the state. Some of which were to take effect immediately and prior to our planning for the next fiscal year. The third page shows more details. The third account listed is Ancillary; this account includes a variety of testing and other purposes that normally are used for in the course of the year for promotions and so forth. The new requirements that this Bill has introduced mandates Drug Screening and Behavioral Assessments for all officers on a 5-year basis. This goes into effect immediately and currently the funds are budget for the current fiscal year. The 2022 Budget proposal shows a significant percent increase under Ancillary. The provisions and details that is required of the Department is not clear year. Therefore, the Department is working on presumptions and estimations what the costs would be. Otherwise the Department will be not be submitting any significant increases or purchases for the upcoming fiscal year. AC Byrnes asked if there were any questions. There was none.

#### **Old Business**

None.

#### **Discussion and Consideration of Assistant Chief Glenn Byrnes Contract Extension**

Chief Lombardo indicated AC Byrnes contract expires in May 2021 and it allows for the Town of Trumbull extend from this point on. Chief Lombardo suggested that his contract be extended and if there is any discussion. Chief Lombardo has no issues with the current contract and believes AC Byrnes has none either. Chief Lombardo would like to extend AC Byrnes contract for 5 years.

Chairman Baldwin indicated that he agrees with a 5-year contract for AC Byrnes. He has been with the Department for 35 years and has been the second in command for the Department for 17 years. AC Byrnes has managed major projects within the Police Department such as the Communications Center, Locker Room, Cell Block, Firing Range, handles the finance and budget for the Department, Accreditation, Accountability Bill, etc. Chairman Baldwin believes AC Byrnes has been an asset to the Town of Trumbull Police Department and he would definitely recommend a 5-year contract extension.

Commissioner Magliocco is in agreement with the 5-year contract extension for AC Byrnes. Being on the Police Commission Building Committee, AC Byrnes extensively ran the \$2 million dollar renovation. AC Byrnes is very thorough and does a great job with anything he is asked to do. Commissioner Magliocco asked him to keep up the great work.

Motion was made by Commissioner Vazzano to extend a 5-year contract for AC Byrnes with terms and conditions to be decided, seconded by Commissioner Trefz. There was no further discussion. Motion passed unanimously.

AC Byrnes thanks the Police Commission for their support.

There being no further business, a motion was made by Commissioner Vazzano and seconded by Commissioner Zamary to adjourn the meeting at 7:25 p.m. The motion passed unanimously.

Respectfully submitted,

Vivian Munoz  
Clerk of the Commission