

WINDSOR LOCKS POLICE COMMISSION

Minutes of Special Meeting

Thursday June 26, 2014

Commissioners present: Chairman Kevin Brace, Neal Cunningham, James Gaylord, Edward Lanati, Ricardo Rachele and Michael Royston

Commissioners absent: None

Also Present: Chief Eric Osanitsch

- 1) **Call to Order** – Chairman Brace called the meeting to order at 7:00 pm.
- 2) **Pledge of Allegiance** – The Pledge of Allegiance was observed.
- 3) **Public Input** – None
- 4) **Approval of the minutes for the meeting of May 14, 2014.**

Commissioner Royston stated that he voted “No” on the motion to alter the Orchard Hill and South Center intersection to a three-way stop. He also stated that Neal Cunningham is the Commissioner who seconded that motion.

MOTION: To approve the minutes of the May 14, 2014 meeting with the two corrections above.

James Gaylord

Seconded by Neal Cunningham

Motion Passed Unanimously

- 5) **Correspondence** – None
- 6) **End of Year budget line item transfers** –

Chief Osanitsch reported that the Budget looks good and is projected to come in under Budget in total by year end. There will need to be a few line item transfers to cover a couple overages. Patrol salaries and Dispatcher overtime is under budget and the Dispatcher salary line is over due to the fact that the Dispatchers raises were not incorporated into the salary line at the beginning of the year. There is also a liability that needs to be paid to North Central EMS that was not in the budget. The Chief would like to transfer some of the overage into Line Item 719 to cover this expense.

MOTION: To have Chief Osanitsch make transfers within the Budget to cover any overages and pay the EMS bill.

Mike Royston

Seconded by Neal Cunningham

Motion Passed Unanimously

Chief Osanitsch added that he will email the final numbers to the Commission.

- 7) **CGS 53-39a Settlement Agreement with Robert Koistinen pertaining to Civil Lawsuit (Docket Number HHD-CV13-6045456-S)** –

Chairman Brace reported that there was a settlement between Robert Koistinen and our Labor Attorney, Kevin Dineen, regarding Mr. Koistinen’s civil lawsuit filed under Connecticut State Statute 53-39A. Chairman Brace recited the Statute which reads as follows:

“ Sec. 53-39a. Indemnification of state police, State Capitol police, certain special police and local police.

Whenever, in any prosecution of an officer of the Division of State Police within the Department of Public Safety, or a member of the Office of State Capitol Police or any person appointed under section 29-18 as a special policeman for the State Capitol building and grounds, the Legislative Office Building and parking garage and related structures and facilities, and other areas under the supervision and control of the Joint Committee on Legislative

Management, or a local police department for a crime allegedly committed by such officer in the course of his duty as such, the charge is dismissed or the officer found not guilty, such officer shall be indemnified by his employing governmental unit for economic loss sustained by him as a result of such prosecution, including the payment of attorney's fees and costs incurred during the prosecution and the enforcement of this section. Such officer may bring an action in the Superior Court against such employing governmental unit to enforce the provisions of this section."

**MOTION: To approve the settlement agreement with Robert Koistinen and forward to the Board of Finance.
James Gaylord
Motion Passed Unanimously** **Seconded by Mike Royston**

Chairman Brace stated that although the Commission does not agree with the settlement, this is how the Statute is written and we are bound by it. Chairman Brace read into the record an email from Attorney Kevin Deneen detailing the settlement. It reads:

"Essentially the settlement amount represents his attorney fees (copies of which I have obtained and reviewed) as permitted under the statute, and a compromise on his claim for overtime and private duty pay. While we may have prevailed on the private duty/OT pay issue, we would have lost on the claim for attorney fees under the statute. Losing on that part of the claim would require the Town to pay Attorney Spector's fees in preparing for and trying this case. This would exceed the amount of the claimed overtime/PJ's, with no guarantee that a judge would not also award these costs. Mr. Koistinen also dropped his claim for various small cost items which I believe he would be entitled to (parking, health care costs, etc.) which together added up to over \$7,000."

Commissioner Lanati feels the Statute should be changed. He stated we are being held responsible for paying money that is out of our control. He also feels that there should be a Grant we could apply for that would help with these costs. Chairman Brace added that there is also no insurance in place to cover such costs in these situations.

8) **Commissioner's Comments –**

Commissioner Royston suggested the Commission invite our State Representative and State Senator to a future meeting to discuss changing the statute.

9) **Adjournment –**

**MOTION: To adjourn at 7:20 pm.
Neal Cunningham
Motion Passed Unanimously**

Seconded by Mike Royston

Respectfully Submitted,

Sharon Pfaffenbichler
Recording Secretary

A recording of this meeting is available on CD in the Town Clerk's Office.