

**MADISON DEPARTMENT OF POLICE SERVICES
SPECIAL MEETING – May 15, 2007
9 CAMPUS DRIVE, MADISON– 9:30 AM**

Attendees: Chairman Emile Geisenheimer, Commissioner David Smith, Commissioner Michael Rollinson, Commissioner Thomas Cartledge, Chief Paul Jakubson

Also Present: Lt. Robert Stimpson; Lt. Allen Gerard; Town Attorney Judith Ravel; Board Attorney William Clendenen; IPBO Attorney Michael Brady; First Selectman Thomas Scarpati; Scribes Court Transcriber Sara Devin-Posta; Christie Hodge, Board Clerk; members of the Department; press

REGULAR SESSION

Opening and Call to Order at 9:49 AM by Chairman Geisenheimer

Chairman Geisenheimer stated that is a special meeting with two agenda items. The first item for regular session is line item transfers for Board action which will be discussed by Chief Jakubson. Second item is a continuation of the Gambardella proceedings for which the Board will adjourn to Executive. Session

- Line Item Transfers
 1. \$3,500 from OT BOE Special Duty to OT Investigations to balance the account for the remainder of the year.
 2. \$10,000 from Part-time officers to OT Replacement to balance the account for the remainder of the year in that it is traditional that officer take vacation time in May and June; there will be replacement costs.
 3. \$1,000 from Staff Uniforms to Tires to balance the account for the remainder of the year.
 4. \$2,000 from Staff Uniforms to OT Replacement to balance the account for the remainder of the year.

MOTION by Rollinson, second by Smith to approve the line item transfers. All in favor. None opposed. So moved.

The Chief summarized that \$12,000 will be for OT replacement; \$3500 to OT Investigations and \$1000 to Tires.

Commissioner Rollinson commented that he understands the BOE Special Duty transfer and understands that need. He questioned the part-time officers debit and said he would like to see dollars expended to part-timers when they worked, if they worked and a dollar amount as to what the Town has paid to train and certify these officers.

Chief Jakubson replied, in one case, the officer has been paid from the part-time account for training. Commissioner Rollinson questioned the agreement between the union and administration as to when they are to work. Chief Jakubson said the agreement is between him and the two part-timers. Commissioner Rollinson asked if, since we are paying to have them certified are they working? If they failed to live up to their agreements they will be dropped from the roll, Commissioner Rollinson concluded. Chief Jakubson noted that line item has been reduced for next year.

Commissioner Rollinson said as far as OT, he wants a breakdown of OT expended from the police line item rather than communications OT and asked, if all of the Communications OT is paid from Communications? He continued, he wants dispatchers' line items and police for OT. Chief Jakubson explained, when an officer works dispatch that OT is paid by Communications. Commissioner Rollinson asked if that money will be available next year? Chief answered, we were not responsible for the Communications budget this year; doesn't know how they budgeted.

Chief Jakubson concluded, based on past history without the present contract, we know that during May and June we will have certain number of people burning up vacation time and they will need to be replaced - that is tradition.

MOTION by Smith, second by Rollinson to adjourn to Executive Session to continue proceeds on issues involving Officer Gambardella at 9:57 AM. All in favor. None opposed. So moved.

Present: Chairman Emile Geisenheimer, Commissioner David Smith, Commissioner Michael Rollinson, Commissioner Thomas Cartledge, Board Attorney William Clendenen.

RECONVENED TO OPEN SESSION at 2:01 PM.

Present in Open Session: Chairman Emile Geisenheimer, Commissioner David Smith, Commissioner Michael Rollinson, Commissioner Thomas Cartledge, Chief Paul Jakobson

Also Present: Lt. Robert Stimpson; Lt. Allen Gerard; Town Attorney Judith Ravel; Board Attorney William Clendenen; IPBO Attorney Michael Brady; First Selectman Thomas Scarpati; Scribes Court Transcriber Sara Devin-Posta; Christie Hodge, Board Clerk; Abigail White, Videographer, members of the Department; press

Chairman Geisenheimer advised there was an Executive Session from this morning to early afternoon. They are now in public session for the iteration of the proceedings against Officer Gambardella for public record. He continued, they have conducted a hearing in Executive Session, which spanned several actual days of receiving testimony from both the town's attorney and Officer Gambardella's defense attorney. He continued, they have received testimony, viewed physical evidence and in the last session, received written arguments and briefs on the position on the town and defense attorneys. The briefs have been reviewed and the Commission has spent the morning discussing the various charges and specific counts but has not taken any action on them; that is the purpose of this session this afternoon. He asked counsels if they had anything to add to which they replied they did not.

Chairman Geisenheimer then went through each charge calling for a vote after each was read for the two cases:

Lenny & Joe's Fish Tale

2.1.6 Truthfulness: Count 1	Sustained / Unsustained	4-0
2.1.6 Truthfulness: Count 2	Sustained / Unsustained	4-0
2.1.6 Truthfulness: Count 3	Sustained / Unsustained	4-0
2.3.2 Conduct unbecoming an officer: Count 1	Sustained / Unsustained	1-3
2.3.2 Conduct unbecoming an officer: Count 2	Sustained / Unsustained	4-0
2.1.3 Submitting Reports: Count 1	Sustained / Unsustained	4-0
2.1.3 Submitting Reports: Count 2	Sustained / Unsustained	4-0
2.3.3 Neglect of Duty: Count 1	Sustained / Unsustained	deferred
2.3.3 Neglect of Duty: Count 2	Sustained / Unsustained	deferred
2.1.13 Oath of Office: Count 1	Sustained / Unsustained	deferred
2.1.13 Oath of Office: Count 2	Sustained / Unsustained	deferred
2.1.16 Attention to Duty: Count 1	Sustained / Unsustained	deferred

2.1.16 Attention to Duty: Count 2	Sustained / Unsustained	deferred
2.3.19 Falsifying Records: Count 1	Sustained / Unsustained	0-4
2.3.19 Falsifying Records: Count 2	Sustained / Unsustained	4-0
2.3.19 Falsifying Records: Count 3	Sustained / Unsustained	4-0
2.3.31 Incompetence: Count 1	Sustained / Unsustained	deferred
2.3.31 Incompetence: Count 2	Sustained / Unsustained	deferred

Beebe Marine

5.4.2F(2) (2.1.6) Truthfulness: Count 1	Sustained / Unsustained	deferred
5.4.2F(2) (2.1.6) Truthfulness: Count 2	Sustained / Unsustained	1-3
2.1.9 Communications	Sustained / Unsustained	4-0
2.1.13 Oath of Office, Code of Ethics	Sustained / Unsustained	4-0
2.1.15 Duty to Report Information	Sustained / Unsustained	3-1
5.4.2F (2.3.2) Conduct Unbecoming an Officer	Sustained / Unsustained	4-0
5.4.2D (2.3.3) Neglect of Duty	Sustained / Unsustained	deferred
5.4.2 V&X Neglect of Duty	Sustained / Unsustained	deferred
2.3.31 Incompetence	Sustained / Unsustained	4-0
2.4.4 Division Order	Sustained / Unsustained	4-0
2.4.8 Familiarity with Orders	Sustained / Unsustained	4-0

With regard to some of the charges, Chairman Geisenheimer said he does not believe they are for consideration by the Commission at this time because Joseph Gambardella will appear before Superior Court for criminal action. The Commission will not act on those specific charges.

MOTION by Cartledge, second by Smith that the Board of Police Commission terminate, effective immediately, Joseph Gambardella based on the numerous and serious violations based on the Madison Police Department's policies and procedures.

Chairman Geisenheimer asked that each commissioner, when called upon, voice 'aye' to indicate agreement with the Motion. All commissioners responded individually with 'aye'. Chairman Geisenheimer then stated, that concludes this matter.

MOTION by Smith, second by Rollinson to adjourn the Special Meeting at 2:13 PM. All in favor. None opposed. So moved.

Minutes accepted: June 14, 2007

