

**MADISON DEPARTMENT OF  
POLICE SERVICES  
REGULAR MEETING – May 8, 2008  
9 CAMPUS DRIVE, MADISON– 7:30 PM**

Attendees: Chairman Emile Geisenheimer; Commissioner David Smith, Commissioner Edward Kritzman, Commissioner Larry Moon; Commissioner Garry Gyenizs, Acting Chief Robert Nolan

Also Present: Atty. William Clendenen; Lt. Robert Stimpson; Lt. Jon Dobbin; Lt. Allen Gerard; Citizens of Madison; Press

**CALL TO ORDER**

Chairman Geisenheimer called the May 8, 2008 regular meeting to order at 7:52 PM and asked that all rise to recite the Pledge of Allegiance.

He apologized for the delay – there was an important police call at Legend Hill needing the attention of the chief and lieutenants.

The grievance on the agenda will not be heard at the request of the Union; it will be taken up next month. There are a lot of traffic matters on the agenda tonight so they will be addressed during the traffic discussion. He called for other public comments – there were none.

**GRIEVANCE (S)**

- UPSEU/C.O.P.S: 2008-003 – Step 2 (Baxter) - Tabled

**PUBLIC COMMENTS**

**CONSENT AGENDA – CHIEF’S REPORTS**

Chairman Geisenheimer made one change; Commissioner Kritzman had several changes.

**MOTION** by Gyenizs, second by Kritzman to approve the minutes of the Regular Meeting of April 10, 2008 and the Special Hearing of April 29, 2008. All in favor None opposed. So moved.

Chief Nolan apologized that he and lieutenants have to keep their cell phones on during this meeting due to an ongoing investigation.

Chairman Geisenheimer noted that given this is Chief Nolan’s first meeting they will be flexible on the approach to the ‘Chief’s Report’.

Chief Nolan gave an overview of what he has implemented since he’s been here, highlighting what he called pretty much basic items in that he started some new things within the department: officers are walking the business district and the North Madison Shopping center twice during their shifts; they will park and spend time with residents and business people to make sure everything is alright; he is looking at how officers are assigned to shifts; looking at different ways to assign officers to shifts; reviewing supernumeraries and how they are assigned. At this point the supernumeraries could be every helpful. Police will be checking cars and equipment before duty; looking at daily training to introduce different subjects every day. Will be doing radio checks every shift, every so many hours, to make sure officers are safe; officers will be handling interviews differently – everything will be filmed from now on . As soon as possible he hopes to have cameras set up in the cars; DUI tests will be done with the camera present for the record. He continued, he is looking at reinstating a board with officers from each division so everyone has a representative opportunity rather than one division, such as patrol. He wanted to get across you will be seeing a lot of small, important changes getting back to the basics of police work. He is talking to the Board of Education about camera systems. They will be retaining tapes in the booking area for more than a day or two; looking to transfer them to disks to hold the data indefinitely. Working in a different manner as to call outs for the detective personnel, handling a crime scene investigation has changed somewhat. The Department will be working closely with the fire departments; the Chief noted that has already met with both chiefs and the fire marshal. The fire departments will assist the police with missing

persons and will be called out immediately to assist in the search in any wooded areas, beach areas, etc. Additionally, he has made some changes in how officers present themselves in public, from being required to wear full uniforms, to include a hat, to the detectives wearing suits & ties or sport jackets. Quite a few other things are going on, but that gives a general idea of what we've been doing.

Chairman Geisenheimer pointed out the copies of correspondence show some of the orders the Chief has put out; he commented on the good start Chief Nolan is making.

Chief Nolan continued his report regarding the finance side of the department and said Lt. Stimpson will handle the day to day budget. He said he would prefer to utilize a budget for the fiscal year without ever going into the red; appears that is very difficult because of line item transfer time lags which could take a month or so. He respectfully requested that the Chair stop by to discuss transfers and sign off on them to get them in the process faster; there is a timeline for them to go next door. He said Lt. Stimpson has been trying to bring these back into line. Policy will be if the money is not in the account, don't spend it. There is one other transfer pending on the condition if the funding is there. They will not put the transfer through if it is not there.

Lt. Stimpson said there will be more line item transfers. Chairman Geisenheimer asked if there is anything in our rules & regulations or the town's that would require the full commission approve line item transfers? Lt. Stimpson said historically they had been signed by the Chief. Chairman Geisenheimer said he would want to verify we are not violating any town regulation and would like an accounting between meetings, to which Chief Nolan agreed. Commissioner Kritzman suggested the Chief could sign the transfer(s) and the Commission would validate it. Chairman Geisenheimer said the Commission has a responsibility to approve the transfers therefore it would require Commission action.

Atty. Clendenen suggested he would like the Lieutenant to verify the suggestion with Fiscal Services and in an excess of caution he thinks it would be appropriate to have two commissioners sign the line item transfer requests. Chairman Geisenheimer suggested the chair or vice chair and another commissioner. Chief Nolan added, it may not happen that often, but if we see we will be running short we won't be putting any action off for two months. It is very important given a lot of different factors that the control and flexibility are put into place so we are always in the black. Chairman Geisenheimer noted this should be brought to the next meeting. He asked that Atty. Clendenen draft a resolution with specifics.

Chairman Geisenheimer said the agenda would now address the line item transfers followed by Traffic, to accommodate Lt. Dobbin.

- **Line Item Transfers**

**MOTION** by Gyenizs, second by Moon to approve a \$4000 line item transfer request from Wages to Staff Uniforms to outfit new patrol hire due to the unanticipated officer requirement this fiscal year. All in favor. None opposed. So moved.

**MOTION** by Kritzman, second by Moon to approve a \$3000 line item transfer request from Police Services & Supplies to OT Investigations to support this account for the remainder of the fiscal year due to on-going investigations. All in favor. None opposed. So moved.

**MOTION** by Kritzman, second by Moon to approve a \$500 line item transfer request from Police Services & Supplies to the Tires account for funding through this fiscal year. All in favor. None opposed. So moved.

**MOTION** by Kritzman, second by Moon to approve a \$23,000 line item transfer request from Wages to Professional/Technical Services for the salary of Acting Chief Robert Nolan, contingent on adequate funding in the wages account. Chairman Geisenheimer said he has discussed the funding with Helen Burland, who confirmed funds are available. Motion was amended to be subject to verification. All in favor. None opposed. So moved.

Lt. Stimpson continued, quite a few accounts are showing up in the red but that is not necessarily accurate; there are measures in the works to address each of these accounts. As Chief Nolan mentioned, it is the process that takes time. He reaffirmed that it is where they are in the process at the levels of the boards of selectmen and finance. He said not to get overly concerned about the accounts that are presently in the red. Chief Nolan said

the Department will attempt to set up an in-house system so we can track these accounts by himself or Lt. Stimpson on a daily basis. He said he has found accounting usually runs a month-to-month & one-half behind. He and the lieutenant have discussed an in-house system to know what is in the accounts.

Lt. Stimpson noted that there is one line item transfer acted on last month by the Commission for \$23,000 from wages to training; that has been tabled by the Selectmen because of they had objections. He printed out all the training conducted since January; lack of personnel caused the account to go in the red; training necessitates replacement. Block training and certain other courses with respect to career development are for particularly the newer officers, in addition to DUI training, interrogation training. Rather than stifle career development, training has caused the account into the red for the newer officers. Chairman Geisenheimer said he has received no information from the Selectmen; Lt. Stimpson said he got his information from Mrs. Burland. Chairman Geisenheimer continued, based on that verbal discussion one would expect a written question from the Selectmen. Commissioner Kritzman added, the budget as to training is inadequate and has been. It is understandable that line items could not support the level of training necessary. The transfer is a positive indication that we are addressing important issues the officers have. Atty. Clendenen said it would be appropriate for the Commission to authorize receiving a report from the Board of Selectmen so Chief Nolan does not confront this problem when trying to balance the budget. The Chief can then find out what is going on. He said he agrees with Commissioner Kritzman in that we've told the boards of selectmen and finance that the training line item is inadequate; we have to find a way to get officer training. We need a system in place that if they object to a request, someone gets notified. Atty. Clendenen said the point is, it should come from the Selectmen to the Police Commission so the Lieutenant and Chief do not have to get involved.

Commissioner Smith proposed to approve a resolution drafted by Atty. Clendenen. The proposal was read into the minutes:

'Be it resolved that the Board of Police Commissioners hereby authorizes the Chairman and/or Vice Chairman, plus one other commissioner, to approve and sign a line item transfer within the Police Department budget upon prior, signed approval of the Chief of Police up to the amount of \$25,000 during any period between regular meetings of the Board of Police Commission. Any such transfer authorized by the Chairman and/or Vice Chairman and one other commissioner between regular commission meetings will be presented to the Board of Police Commissioners at the next regular meeting to notify the full Board of said approval.'

**MOTION** by Smith, second by Kritzman to accept the resolution as read. All in favor. None opposed. So moved.

8:29 PM

Chairman Geisenheimer noted there are 3 traffic items on the agenda: Lantern Hill; Seaview Avenue and Railroad Avenue.

#### **Seaview Beach Assn.**

Chairman Geisenheimer addressed a letter from Steve Perrelli, President of the 79-home Seaview Beach Association, requesting that the area on Seaview Avenue prior to the Seaview Avenue bridge posted as a 'no parking zone' due to the traffic and safety issues generated by that area's use for parking.

Steve Perelli – There has been an increase in the numbers of people parking on Seaview Avenue. The cars cannot park squarely on the road; cars have been ticketed in the past. The Association is concerned about a potential pedestrian/parking area accident. He would suggest an area with 'no parking' signs to decrease the hazard. LT. Dobbin, who had reviewed the area with Mike Ott (Engineer's office) noted it is not a recognized town parking area; there are spots where the grass has been worn down. There is one spot for a small car to park. If it was only one car it would not be a problem, but the problem is multiple cars parking in that area. Lt. Dobbin recommended no parking signs at that point.

Another member of the association said a number of students from the school were checking out shellfish beds; they are concerned it will be a destination spot.

Chairman Geisenheimer called on Mike Ott who said he would agree with Lt. Dobbin's opinion that there should be no parking signs. Commissioner Moon recused himself as a member of the Seaview Association.

**MOTION** by Kritzman, second by Gyeizis to erect No Parking signs on at the Seaview Beach area as discussed. All in favor. None opposed. So moved.

Commissioner Kritzman asked when the signs would go up; Mike Ott said approximately a week & one-half; they will modify the area so it doesn't look like a parking spot. Chairman Geisenheimer suggested cones on a temporary basis and he thanked the members of Seaview Beach Association.

### **Lantern Hill**

Chairman Geisenheimer noted it was discussed at the last meeting to see if the fire department has any issues with a signal. He said he personally is a disbeliever that traffic lights prevent accidents; they control the flow of traffic but don't prevent accidents. There is a problem here because there is a subdivision. The implications of the area are that there are no sidewalks on the other side of the road, therefore a crosswalk would give someone no place to cross over to; he doesn't think it will solve a problem. He asked the commissioners for their input Commissioner Smith asked to hear from Mike Ott who said at this location, his opinion for a traffic signal is no. He spoke to Fire Chief Bob Gerard who said he did not think a signal at that location was warranted. He talked to the DOT engineer who performed the study to be sure (David Farly) he understood the results. They agreed with the residents' concerns but from an engineering standpoint, he would not recommend a signal be installed. The State did their study – one of the warrants in the traffic control manual was met but because a warrant is met, it does not necessarily mean a signal should be installed. In simple terms, the factors are not there. Some factors are: an attraction i.e., school, center, cyclist traffic, poor intersection sights; crash history. He continued, based on an engineering study it is not warranted to install a signal. Chief Nolan, said while came into this discussion recently, he has met with Mr. Ott and he thinks the state regulations warrant meeting several of the criteria. His biggest concern is that you are moving people across Rte. 1 and putting them in a road with no sidewalks; that is a hazard. In the summer you may be creating congestion on surrounding streets to create a problem. If there are children crossing they are going into the street on the other side rather than a sidewalk area. Commissioner Kritzman said there was concern about speed in that area; would it warrant targeted enforcement? Chief Nolan said that is no problem. There is a radar speed sign; they plan to put it out for a day or two so people see what their speed is; hopefully they will slow down. After a day or two the police cars will appear and if necessary, issue summons. It will be a combination of the sign and officer; if you see the sign, 2-3 days later there will be an officer present.

Susan Kennedy – Resident of Lantern Hill noted that DOT did their study on the Monday after 4<sup>th</sup> of July week. The traffic study began at 6 AM and was gone by 2 PM that day. She does not feel that gave a good snapshot of the intersection and said there are many children from Lantern Hill cutting through to cross Rte. 1 to go to the Surf Club. She feels if there cannot be a traffic signal, there needs to be a crosswalk with blinking traffic signal. She noted cars turning left or right cannot see people crossing the road. Commissioner Kritzman asked if it could be requested of the state engineer to run additional tests at different times of the day. Mike Ott said that can be requested. Susan Kennedy said DOT said they would do a second study and reiterated that the study was done on Monday after a holiday. Chairman Geisenheimer said he is concerned that pedestrian traffic has no place to cross except to a road without a sidewalk

Another member of the audience said there is no sidewalk on East Wharf although there is a light & crosswalk that spills onto the road. He said he thinks it would be prudent to have a signal to slow traffic before they get into town coming from Guilford. Noting Mr. Ott's comment about 1 of 8 criteria being met, he said there now is a new road involved. The volume of events at the Surf Club would warrant having a light being controlled by officers.

Jim Henneberry – Cherry Lane resident of 13 years said he understands concern on Lantern Hill which is indeed a busy intersection. However, he said when you talk about people crossing the street, people walking from town are usually on the south side of Rte 1, not on a paved sidewalk and 90% of those people cut down Cherry Lane, not West Wharf because there is no place to walk on West Wharf. He would guess 100 people walk daily with their dogs, babies, etc. to avoid West Wharf.

There are now a lot of young families on Cherry Lane. He thinks people would detour onto Cherry Lane to avoid a red light on West Wharf. While he understands the Lantern Hill safety issue concerns, most people do not walk down West Wharf - they walk down Cherry Lane. He doesn't know if there are any other private roads in Madison that are through streets; they are cul de sacs. The Cherry Lane Association strongly opposes the traffic signal.

Les Klein of Middle Beach West said he goes down West Wharf toward I-95; at the corner, a car can block your sight line. He doesn't feel a light would hurt and would save a lot of aggravation.

Chairman Geisenheimer referenced a letter from Mr. & Mrs. Ferrara opposing the signal and continued, they can have a resolution or can table this item. Commissioner Moon said he feels the issue is that people drive to the Surf Club and the field. If there is a big drawing it may be a bigger issue than just a traffic light.

Chris Kelly - Lantern Hill said coming on Rte. 1 from Hammonasset west toward Guilford there are lights to slow traffic; the traffic will increase in time with Lantern Hill. People accelerate because there is no light from the center of town to Guilford until Goose Lane and something is needed to slow the traffic down. Chairman Geisenheimer said he wants to have traffic enforcement get results before taking a vote and would like to know about whether or not the town has plans for a sidewalk in that area. Just because there is a light at East Wharf doesn't mean we need another at this end of town.

Susan Kennedy asked for a crosswalk at Lantern Hill with a push button to activate a light, similar to the one at both Hammonasset Ford and Hammonasset Beach for the interim. Chairman Geisenheimer reiterated he is concerned about encouraging people to cross Route 1, which is heavily trafficked. He asked Mike Ott to look at the issue of a sidewalk and an alternative way to cross. Chief Nolan said the police will do a full report; the speed trailer will be in the area tomorrow. He continued, they will track the traffic times, speed, etc. Commissioner Kritzman asked Mrs. Kennedy about her concerns for the problem when the test was initially taken; perhaps Mr. Ott can request the state to run verification tests for a true picture as well as interim targeted enforcement in that area. Chairman Geisenheimer said that if the Commission approved the light it could take 3 years. Commissioner Kritzman said we need a true picture of what speeds are at various hours including when there would be children crossing to see what is justified. Commissioner Smith asked Mike Ott to confirm the length of the study and asked if there a way to get a handle on pedestrian traffic? What is the projected number of residents when Lantern Hill is completed? Finally, he said he would like to understand if we are doing all the optimal things for traffic control we can during heavy traffic times, particularly at the Surf Club. Chief Nolan said the only control would be officers at the intersection. Lt. Dobbin added, there are officers in place for large events (Surf Club); if it is a football game, officers stay at the Surf Club, going to the intersection for the large games such as Thanksgiving Day.

Chairman Geisenheimer concluded the discussion by saying he thinks the Chief and the engineering department can study this further.

**MOTION** by Smith, second by Moon to table the traffic signal at Lantern Hill/Route 1 for further discussion. All in favor. None opposed. So moved.

Les Klein of Middle Beach West said last August he talked to the Commission about the traffic on Middle Beach West; the problem is still there. He estimates at one point there were motorcycles traveling 40-50 MPH along his road at the same time there were 6 joggers. Vehicles and people have to share Middle Beach West - he feels it is a 'zoo'. First question he said he had to pose is what has happened since last August to control traffic better? Very few people pay attention to the 25 MPH signs. He got Lt. Dobbin's report on the speed trailer survey results for the period 6/13/07 to 7/15/07 showing 80,902 cars passed the trailer in that timeframe. The posted speed limit is 25MPH; the trailer results showed the average speed is 20.1 MPH. He finds that report astounding. Highest speeds are in the middle of the night. Because the speed trailer was moved from Middle Beach West to Island Avenue facing Middle Beach West - now the results will be different because there is a stop sign there. He asked to use the trailer and radar on Middle Beach West and offered a neighbor's driveway. He questioned the average speed on Lt. Dobbin's report of 20 MPH. Chairman Geisenheimer noted it is a computerized system. Mr. Klein asked how the average speed of vehicles could be 20 MPH. He doubts it and wants clarification and suggested using the speed trailer on Middle Beach West, not Island Avenue

where there are speed bumps to control traffic. He doesn't think anyone pays attention to the patrolling cars or monitoring devices in a restrictive way. Hopes the new technology will make people aware of their speed.

9:18 PM

#### **NEW BUSINESS.**

- **Railroad Avenue Construction Project**

Mike Ott, Asst. Town Engineer gave an overview of plans to start reconstruction of Railroad Avenue and passed out the proposed modifications. He said he is at the Commission meeting to get comments and approval for modifications to Scotland Avenue and permanent traffic signage. This project is full reconstruction of the entire road to include modifications to intersections of Wall St. at the horizontal curve, which cannot be seen around due to the house being very close to the road. The road was scheduled to be reconstructed followed by the water main reconstruction. The target date is June 20. Chairman Geisenheimer asked if access will be restricted to the train's parking lot? Mr. Ott said yes at times. The access to that area from Bradley Road has an overflow. Local residents will always have access to their driveways; there will be times when one or more of the entrances will be temporarily closed but the full lot will be accessible at some point. The contractor will maintain one lane at all times and that applies to the residents on the south side. Chief Nolan questioned if one lane is always to be open, how will you designate which lane? He is concerned that emergency vehicles must always have access to these buildings. Mr. Ott said yes, per the contract, the contractor has to allow for emergency access. There are very short time periods they may be trenching (open trench) but that will be for less than 1 hour. Chairman Geisenheimer asked how only one lane will be able to handle the traffic. Mr. Ott said there is a maintenance detour plan to go around the work site; within the work site the contractor is responsible for a flagman directing traffic in that one lane. Chief Nolan asked if police and the fire department will be notified if there are any extended shut downs? Mr. Ott said yes, it is in the plan to notify all police and emergency services. They will do the water main first – one lane with a narrow 4' trench. After that they will pulverize the road and traffic can drive on it. Commissioner Moon asked if it will be done on the whole length? Mr. Ott said yes, but in sections. Chairman Geisenheimer asked about the stop sign with no line of sight coming from the west; you are compelled to inch out – can the line of sight be squared off? Mr. Ott said yes they have squared it off and have moved the stop sign. You will be forced to be square. Chief Nolan feels the main concern would be to make sure emergency vehicles can get in and out; he thinks it is a good plan. Mr. Ott said the contractor is Schumack of Clinton. Atty. Clendenen asked that, given staffing issues in the department, if it is possible can the meetings be held earlier rather than later because it is a planning problem so Schumack and the office can coordinate to alleviate staffing issues. Chief Nolan said they are obligated, if we can't supply staff, to provide certified flag people. Mr. Ott said that is correct; he and Lt. Stimpson decided to make the contractor responsible for certified flag people. People traveling northbound on Wall Street will now have to stop at Railroad Avenue at a new stop sign.

Lt. Stimpson said once it is signed off on it could be controlled by flag men. Chief Nolan said the issue is with the officers if they are available. We prefer to have officers due to the amount of commuter traffic which is why he stressed certified flagmen. Mr. Ott thinks the work day will be 7 or 7:30 AM to 5 PM, to which Chairman Geisenheimer commented, this will create a problem. Commissioner Kritzman asked if the Engineering Department is sending information to area residents? Mr. Ott said yes, residents of Railroad Avenue; Scotland Avenue and Wall Street. There will be information on the town website and flyers on vehicle windows at the train station. He doesn't think the contractor will start earlier. Commissioner Kritzman said he is concerned that they get out as much early publicity as possible with the effective the date this project will begin. Chief Nolan asked who decides the number of flagmen at a given time? If we feel there should be additional flagmen, can we do this? Can they assure us there will be adequate protection? Mr. Ott said we can stipulate the number. He said the water main work will start next week and will take about a month. Lt. Gerard asked if the trenches will be filled at the end of the day or covered with a steel plate? Mr. Ott said with a steel plate.

**MOTION** by Smith, second by Moon to approve the Railroad Avenue Reconstruction Project as proposed by the Town Engineer. All in favor. None opposed. So moved.

9:39 PM

Commissioner Smith said the Commission had proposed to the Board of Finance that we cannot outfit the cars as needed for the in-car videos. Chairman Geisenheimer said he feels there is a lack of understanding by the Board of Finance of the Town's risk, based on civilian complaints, which while they may be unfounded cannot be proven. Juries tend to believe the 'victims', which can cost the Town millions. As Chief Nolan has said, he doesn't want people processed through arrests, DWIs, etc., without a camera because you can't defend yourself. It is a mistake not to fund it. We can't get cameras for the buildings. Lt. Stimpson noted, when we process someone under arrest and the person claims the officer did 'something' there is no proof. We currently have a million dollar lawsuit pending; we have no video. Board of Finance liaison Owen Charles said while it was well stated that this is a reasonable expense, everything cannot be upgraded this year; it may be appropriate for next year. Chairman Geisenheimer noted the contrast – potential of one more million lawsuit Vs \$35,000. Atty. Clendenen said it is important that as things settle down we are able to deal with a department for the future not just the past. If there is a study on litigation and assessment, one issue would be to focus on risk assessment and evaluate how the town has addressed it in the past, with the particular needs of the police and what equipment may be critical, not deferrable, to ensure we have the proper protection in place. He met with Chief Nolan and Lt. Stimpson and they are all beginning to think about what recommendations can be made to the Board relative to risk management, to enable performance of duties to protect the town and its officers. Commissioner Kritzman asked, if the Town continues to not fund the Board's request, could it be mandated? Atty. Clendenen said there have been misunderstandings relative as to whether or not the Department and Board should let risk assessment be done on the selectman's office but not the police department. We've done a risk assessment from a liability standpoint. Mr. Charles said there was communication between CIRMA and Chief Jakobson – if there is a follow-up with a finding he thinks our insurance status would change relative to risk and the Board of Finance would take that into consideration. Atty. Clendenen said the Department is focusing on that issue to take a front line experience and share it with the Board of Finance as to the appropriate risk assessment to be reviewed. Chief Nolan added there are also State and prosecution requirements that fall under these arrests as to those required when going into court, i.e., taping during booking, interviewing, etc. When the State makes a recommendation, we should pay attention. Mr. Charles asked if the current system is inadequate? Chief Nolan said the system is poor, is not relevant and breaks down. The retention time is almost zero. The statute of limitations is 2 or 3 years. Atty. Clendenen said it is very important from a prosecutorial standpoint. Shortly after Acting Chief Nolan came on the job, the state's attorney came to visit and offered their help. He thinks they are reaching out to us. Chairman Geisenheimer thanked Mr. Charles for being here, noting this was not a wish list. These things are, in our judgment, based on careful consideration and are urgent. Mr. Charles said he took note of the training and said he is glad to see all the training logged in the report. In addition, he said he was very glad to hear Chief Nolan's report with his implemented small and important steps to basic policing.

Mr. Charles leaves at 9:49 PM

#### **COMMITTEE REPORTS – None**

#### **OLD BUSINESS**

- Recruitment Status

Lt. Stimpson said the Department is authorized for 26 officers, including the chief. Excluding Chief Jakobson, we have a total of 18 available officers. Currently, we have two recruits in the Academy and one to be sworn in on Monday (Pardales). We currently have three vacancies. He continued, we are conducting interviews on 5/13, one of whom is a certified officer and still have the two who were Board approved months ago in consideration. He is looking to establish a list of candidates for the near future. Madison has four seats in the July class at POST; Lt. Stimpson said he hasn't done much active recruiting because Madison hasn't had a seat at POST until July. Background checks will be the stumbling blocks due to the time constraints of the detectives.

9:53 PM

- Police Commission Ad Hoc Consultant-Search Committee

Chairman Geisenheimer said because the budget was cut there will not be a consultant-search committee.

#### **COMMISSIONER COMMENTS**

Chairman Kritzman withdrew his request for the Civilian Academy in September; would hope to look to the spring.

Commissioner Gyenizs commented that from what he knows about Chief Nolan's history, we were lucky to get him to come out of retirement.

Chief Nolan commented on the conducting of background checks. He asked the Board to consider that because it is imperative that background checks are really thorough, and with all that is going here, he could get another department to loan us one or two officers he knows have done major background checks to give us a hand, at no cost. If the Commissioner thinks that is worth looking into, he will pursue it. Chairman Geisenheimer said if they are people you know that would be good. Chief Nolan added, you have to be very careful to not inherit a problem with a lateral transfer. One officer he is thinking of to help with the backgrounds is a captain. He said that captain has conducted background checks on 7 or 8 certified officers for lateral transfers and everyone was perfect.

Commissioner Smith: No comments.

Commissioner Moon said he is very glad to have Chief Nolan here in Madison, reiterated by Chairman Geisenheimer.

#### **MISCELLANEOUS CORRESPONDENCE-None**

10:00 PM

#### **EXECUTIVE SESSION**

- Consideration of Legal and Personnel Matters

**MOTION** by Smith, second by Kritzman to adjourn to Executive Session. Atty. Clendenen requested Lt. Gerard stay for brief period. All in favor. None opposed. So moved.

Present: Chairman Geisenheimer; Commissioners Moon, Smith, Gyenizs, Kritzman; Atty. Clendenen; Lt. Gerard.  
Discussion: Compliance issues.

11:08 PM Return to Regular Session

**MOTION** by Smith, second by Moon to authorize Atty. Clendenen to employ the forensic accounting firm of Meyers, Harrison & Pia, LLC, expending up to \$15,000. All in favor. None opposed. So moved.

**MOTION** by Smith, second by Moon that we suspend ride alongs and visits to the Department, to include commissioners, unless approved by the Chairman, until advised by Atty. Clendenen that it is OK to do so again.

Discussion: Chief Nolan said he wants to encourage every commissioner to be in contact with him directly and this suspension of visits would not apply to meeting with him. Chairman Geisenheimer cautioned that commissioners should expose themselves to limited conversations with officers. Commissioner Kritzman noted, there would be very limited discussions with the officers. Chairman Geisenheimer added, there is no problem with commissioners visiting with the Chief; the problem is visiting with officers. We cannot engage in extraneous conversations; that is what town attorney is advising. Commissioner Kritzman said he doesn't see a problem; there is a difference in dealing with the Chief. Atty. Clendenen said he makes this request reluctantly and is hopeful to move things rapidly along. This is not permanent or long term but given what we are facing, this would be best. Chairman Geisenheimer then called for a vote. All in favor. None opposed. So moved.

11:20 PM

**MOTION** by Gyenizs, second by Moon to adjourn to Executive Session. All in favor. None opposed. So moved.  
Present: Chairman Geisenheimer; Commissioners Moon, Smith, Gyenizs, Kritzman; Atty. Clendenen  
Discussion: Personnel Matters

#### **ADJOURN**

**MOTION** by Smith, second by Gyenizs to adjourn the regular meeting at 12:05 AM. All in favor. None opposed. So moved.

Minutes Accepted: June 12, 2008 with amendments