

OLD SAYBROOK POLICE COMMISSION

Special Meeting

August 22, 2011

MINUTES

A special meeting of the Old Saybrook Police Commission was held on Monday, August 22, 2011 at the Old Saybrook Town Hall. PRESENT: Chairman Burnham, Secretary Winkler, Commissioners Gallicchio, Sparaco, Metsack and Zemienieski. Chief Spera and Lieutenant Roche were also present.

I. Call to Order

Chairman Burnham called the meeting to order at 7:39 p.m.

II. Minutes

A. June 27, 2011 – Regular Meeting

Chairman Burnham asked for discussion or approval of the June 27, 2011 Regular Meeting minutes. A spelling error was noted on page two. **A motion was made by Secretary Winkler to approve the minutes as amended. Motion seconded by Commissioner Sparaco. Motion Passed by unanimous vote.**

III. Comments from the public:

A member of the public commented that it is unfair to compare the Police Chief's Salary to the Vice Principal's salary. He commented that he felt the New London Day correctly reported this issue.

IV. Executive Reports

A. Financial:

1. *10-11 Operating Budget:*

The Chief presented the expenditures that related to the Department Operating Budget's Expenses and Supplies and Contractual sections.

The Chief advised that the Town has not yet gone to bid for gasoline. He stated that the Department is purchasing gasoline as needed. He is hopeful that the Town will negotiate a contractual rate soon. The Chief reminded the Commission that there is a \$70,000 line item in the municipal budget for overages in fuel accounts from various Departments that consume large amounts of fuel such as Public Works, the Fire Department, and the Police Department.

There was much discussion regarding the expenditure of funds from the "Legal" line item in the police budget by the First Selectman. Commissioners are concerned that the First Selectman is expending funds from the Department's budget without authorization from the Chief of Police or the Police Commission. The Chief stated that all expenses incurred are ultimately paid for with tax dollars. He stated that he cannot be held accountable for managing a budget when someone else is allowed to spend funds from it. Commissioners commented that this is the second year in a row that that issue has been raised. Chairman Burnham stated that she has spoken to the Board of Finance about this in the past and that they have stated the issue lies between the Police Commission and the First Selectman. Commissioner Metsack stated that the Commission needed a legal opinion from the Police Commission's attorney on who is allowed to expend funds from the police budget. Other Commissioners commented that is the Police Commission's responsibility to oversee the police budget and that any expenditures from the budget should be

authorized by the Commission either directly or through the Chief of Police who is authorized to expend funds. A motion was made by Commissioner Metsack to direct the Chairman to seek a written legal opinion from the Police Commission's attorney concerning who has authority to expend funds from the Police Department's Budget. Commissioner Zemieneski seconded the motion. Motion Passed by unanimous vote.

2. *Asset Forfeiture:*

Chief Spera reported the balance to be \$17,006.19.

3. *Capital Sinking Fund:*

Chief Spera reported the balance of \$56,840.82

The Chief explained that the funds in this account will soon be transferred to a new account labeled Police Administration. This is due to efforts from the Town Treasurer's Office in concert with the Auditor's report and management letter detailing fiscal management suggestions. The Chief reported that he met with Treasurer Fish and made a determination which funds should be transferred to the new police station building account and which funds should remain for expenditure in the new account by the Police Department. The funds that remain are from past years when allocated funds for firearms, ballistic vests, vehicles, digital video systems, police canine, and facility improvements were not expended and "carried over".

4. *Law Enforcement Fund:*

The Chief reports a balance of \$46,393.75.

5. *Discussion and Action on an Amendment to the Police Commission Bylaws for the Management of the Old Saybrook Police Fund.*

The Proposed By-Law was discussed at length. All were in agreement of the need for the By-Law Change and the necessity for the Commission to have full control and authority over the new Old Saybrook Police Fund. Commissioner Winkler stated that soon the Commission should provide the Chief with spending limitations allowing the Chief to expend funds from the account but only up to a specific amount. Commissioners agreed that the fund would not be used until that determination was made.

Commissioner Gallicchio made a motion to table the By-Law Amendment, in accordance with the By Laws, until the next meeting when it would appear on the agenda as an action item. Commissioner Sparaco Seconded the Motion. Motion Passed by unanimous vote.

Commissioner Gallicchio reported on the Law Enforcement Fund Committee. He stated that he, First Selectman Michael Pace and Union President Detective Perrotti have been meeting. He stated that no expenditures have been approved yet by the committee. He stated that another meeting is scheduled for September 2, 2011.

Commissioner Metsack stated that he is interested in creating a By-Law Amendment that would limit the power provided to the Commission's Executive Committee. Commissioners discussed the idea and asked that it be placed on the agenda for next month's meeting.

B. Administrative

1. **Acceptance of a donation from the Lawrence & Memorial Hospital :**

The Chief presented a letter from Chief Ken Reid of the Hospital's Security Division. The Hospital is proud to donate a 2000, Ford Super Duty, former paramedic vehicle to the Department. The vehicle has gone through a safety inspection and had its fuel tank replaced, all new tires installed, as well as new breaks applied prior to delivery to the Department. The Chief reported that the vehicle was used as one of the Hospital's two paramedic vehicles and that it is in excellent shape. He stated that utility box is ideal to house equipment to allow the vehicle to have multiple functions. The Chief stated that the vehicle will be used as an enhanced first

responder squad, carrying specific pre hospital emergency medical care and rescue equipment such as back boards, as well as house equipment that the STAR Team (Specialized Training and Response) will eventual need to carry out their mission. The Chief reported that should the Commission accept the donation, the vehicle will be painted and lettered to match the fleet. Funds will be taken from the vehicle maintenance account. Commissioners were very pleased with the generous donation and spoke highly of the future use of the vehicle. **Commissioner Gallicchio made a motion to accept the donation with much appreciation and to approve of the use of the vehicle as outlined by the Chief . Commissioner Winkler Seconded the Motion. Motion Passed by unanimous vote.** He added that a letter should be sent thanking the Hospital for their donation. The Chief stated that he would ensure a letter would be sent with a photo of the “squad” when it is completed.

2. Discuss and Act on Staff recommendations for the purchase of New Police Vehicles.

The Chief presented a memo created by Master Sergeant van der Horst who is assigned to manage the Department’s fleet. The Chief reviewed the results of the competitive bid with the Commission. As discussed previously, the Department solicited bids for the new Ford Interceptor, the replacement for the Ford Crown Victoria, and an SUV to replace the current Chief’s vehicle. Two SUV’s were listed on the bid, one Ford Expedition and one Ford Explorer. Bid results were reported as follows – Police Interceptor Crowley Ford \$26,875 and Saybrook Ford \$26,440.40. Police Explorer XLT– Saybrook Ford \$30, 589.40. Ford Expedition – Crowley Ford -\$31,186 / Saybrook Ford \$30,595.24.

After careful review the Master Sergeant recommended to the Chief the purchase of three Ford Interceptors from the lowest bidder, Saybrook Ford, and the purchase of a Ford Explorer, from the only dealership that bid on the vehicle, Saybrook Ford. The reason for the downgrade from the Expedition to the Explorer is due to the increased fuel efficiency of the Ford Explorer and initial cost. There three sedans will be black and white and the Explorer will be Black and unmarked. The Chief reminded the Commission that this single purchase represents approved funding for vehicles from both the 2010-2011 and 2011-2012 fiscal years. He also reminded the Commission that these purchases do not represent the entire cost of the new vehicle as accessories are not included. Items such as radios, radio consoles, GPS Units, Radar Units, prisoner compartments, computers, and vehicle graphics are not included in the price from any of the dealers providing bids. **Commissioner Saporaco made a motion to purchase three Ford Interceptors and one Ford Explorer from the lowest bidder, Saybrook Ford, in concert with the Chief’s recommendation based on Master Sergeant van der Horst’s analysis. Commissioner Metsack Seconded the Motion. Motion Passed by unanimous vote.**

3. Discuss and Act on a Resolution to Establish the Old Saybrook Department of Police Services System of Directives and Professional Standards :

Chief Spera explained to the Commission that the current Rules, Regulations, Policies and Procedures of the Department are not current with present operating procedures, are antiquated, and in some cases completely contradict the current organizational chart or current case law. The Chief stated that the Department is operating in concert with contemporary law enforcement standards, current case law, and with sound operating procedures. The Department’s governing document is simply out of date and in need of revision. The Chief also stated that he listed this as a priority during the first two years of his tenure but has been delayed due to issues such as the relocation of the Department and manpower shortages. He stated that he has assigned Lieutenant Roche and Sergeant DePerry to coordinate the effort. They have attended a certification class, met with other Departments who have recently completed the same task and now must present their findings to the Commission and request permission to continue should that be the Commission’s desire. The Chairman asked that the two make their presentation.

Lieutenant Roche and Sergeant DePerry made a very detailed presentation which included a discussion of the Department’s self assessment with regards to current policies, a review of the current system and need for enhancement and the Department’s Goals of Enhancement. The two

then outlined the Department's proposal to the Commission to create the Old Saybrook Department of Police Services System of Directives and Professional Standards. The new system includes General Orders, Special Orders, Personnel Orders, Department Memoranda, Bulletins and Auxiliary Manuals. Each of the segments of the new system was explained in detail. Then the two spent much time explaining the transition from having the Commission approve policy to being advised and endorsing policies. The two explained that with new professional standards, statutes requiring policies, and accreditation models, only sworn law enforcement personnel should be creating the policies and procedures that govern a law enforcement agency. The Lieutenant then presented the resolution that would allow for their work to continue and to direct and authorize the Chief of Police to develop and implement the new system. The resolution also calls for the Commission to be presented with the system when completed for endorsement.

Commissioners asked how technology would be used in this project. The Lieutenant explained that officers would have thumb drives that would automatically update and time stamp when new orders were issued and received by officers. There will also be an enhanced professional development piece that will quiz officers on newly issued orders that contain detailed procedures.

Chairman Burnham asked the Chief if he felt that the Department was operating properly. The Chief stated that he did, however he needs the Department's governing document to reflect the correct current sound operation.

Commissioner Gallicchio made a motion to authorize the Chairman to sign the Resolution Concerning the Establishment of the Old Saybrook Department of Police Services System of Directives and Professional Standards as presented. Commissioner Metsack and Winkler Seconded the Motion. Motion Passed by unanimous vote.

Commissioners praised Lieutenant Roche and Sergeant DePerry for a job well done on the presentation and wished them and the Chief good luck with the important project.

V. Field Operations Report

A. Professional Development Activities

1. New Field Training Officers:

The Chief reported that Patrolmen Kiako, Walsh, and Souriyamath have been appointed Field Training Officers and have been certified by POST to serve in this capacity.

2. National K-9 Conference

The Chief reports that Patrolman Ziolkovski will attend the national K-9 Handlers Conference in Washington DC. He stated that Master Sergeant Rankin and he will choose the courses that will be most beneficial for Patrolman Ziolkovski to attend.

3. Patrolman Small and Robbins – Field Training

The Chief reports that Patrolman Robbins and Small have begun Field Training. To date both seem to be doing well. The Chief reminded the Commission that field training is a minimum of 400 hours and that a written and practical exam are administered before passing this phase of training. An officer does not become certified and become an actual personnel asset until this is successfully completed.

B. Activity Report

1. July 23 – August 18, 2011:

The Commissioners reviewed the activity report they received in their packets, there were no questions. The Chief noted that the department is extremely busy and he commends the staff for

their continuous efforts to keep Old Saybrook safe and combat the criminal element that seems to be attracted to Old Saybrook.

VI. Support Operations – Reports

A. Emergency Medical Services:

1. American Heart Association – Heart Safe Community:

The Chief reported that the Department has received the distinguished designation as a “Heart Safe Community” by the American Heart Association and the Connecticut Department of Public Health. This designation represents the work that the Town does, in particular the Police Department First Responder Program, to aid persons who suffer from sudden cardiac arrest. Factors that assisted the Town in receiving this prestigious designation were the upgrade involving the Department’s First Responder Team from Emergency Medical Responders to Emergency Medical Technicians, the public access AED program, and the CPR education program offered in Town. The award was presented by the Chief Executive Officer of the American Heart Association at a ceremony at the Saybrook Point Inn. Attending the ceremony was a victim who was revived by Master Sergeant van der Horst through the use of a Department AED.

2. American Heart Association – Training Center / Hiring of CPR Instructors:

The Chief reported that the Department in concert with his plans discussed with the Commission will soon begin to offer CPR courses to the community. He stated that he intends to become an official American Heart Association Training Center. He will hire per diem instructors to facilitate the courses. He stated that he will offer the opportunity for the police officers to obtain their instructor certification in this area prior to hiring civilians. Officers who work as an instructor will make a flat hourly rate that is not in concert with the regular compensation as a police officer. The Chief stated that his goal is to generate revenue while enhancing the citizen first responder’s ability to help in a cardiac emergency. The Chief stated that he is hopeful that in time the revenue from this initiative will pay for all materials needed to operate the Department’s first responder program allowing him to sunset that line item in the budget reducing the cost of services to the tax payer.

VII. Correspondence:

The Commission reviewed the various pieces of correspondence.

VIII. Police Facility Study / Building Committee:

Commissioner Zemienieski, Chairman Burnham, and the Chief advised the Commission about upcoming meetings of the building committee.

IX. Comments from the Public:

A member of the public advised against accepting the donation from the L&M Hospital as the truck, being used, will have mechanical problems. The gentlemen stated that he owns and operates a repair garage and that unless used every day, the truck will develop issues.

A member of the public asked about the process of paying bills. She expressed concern about the First Selectman taking monies from the budget without authorization. Chairman Burnham explained the issue and the Commission’s thoughts on the matter.

X. Comments and/or Concerns from Commissioners:

Commissioner Gallicchio expressed concern about the Town running out of parking stickers to park at Town dock facilities. He asked what involvement, if any, the police department played in the process as the Town’s Legal Traffic Authority. The Chief reported that the Police Department had nothing to do with the process of issuing permits and that the responsibility to do so lies with the Harbor Management Commission.

A Commissioner raised a concern about the registration of mopeds. Discussion was had to see if the Town could impose a registration fee for Mopeds that the State does not require to be registered, similar to the successful Golf cart Registration program. The Chief reported that a statute would be needed to empower the Commission to make such a requirement. He stated that a Connecticut General Statute allowed the Commission to develop the Town's Golf Cart Registration Program. Chairman Burnham asked how prevalent issues were at the end of Sheffield Street during the summer. The Chief reported that as he anticipated, there were no significant problems concerning the Town Dock and parking spaces at the end of Sheffield Street.

Chairman Burnham discussed her exchange of written communication with the First Selectman over the past several weeks. Commission members showed appreciation for Chairman Burnham's leadership and supported her and her statements on behalf of the Commission to the First Selectman.

XI. Adjournment:

Motion made by Commissioner Metsack to adjourn the meeting. Seconded by Commissioner Gallicchio. Motion passed by unanimous vote.

Meeting adjourned at 10:17 PM.

Respectfully Submitted

Michael A. Spera, Chief of Police

Approved October 24, 2011