

Board of Selectmen Minutes Meeting - August 24, 2012

Present: Selectmen: Mark Gilmore, Carolyn Shores Ness, and Elizabeth Clarke
Town Administrator: Bernie Kubiak
Police Chief Candidates: Patrick Droney and John Paciorek, Jr.

Mr. Gilmore called the meeting to order at 5:30 pm. He announced that the purpose of this meeting is to interview the candidates. The Board has solicited questions from the townspeople which Mr. Kubiak has compiled. This is an opportunity for the public to be present and listen, but not to participate.

Mr. Gilmore reviewed the process through which 36 applicants were reduced to the two present. If a candidate is selected following this public interview, the next steps include: a full background investigation, a physical screening, and negotiations for compensation.

The candidates were asked to introduce themselves. Mr. Paciorek said he is originally from Deerfield, currently lives in Sturbridge, is married, and has two children. Mr. Droney said he is the Chief of Police in Ashfield, currently lives in Enfield, CT, is married, and has two children at Springfield College, plus two adult children and grandchildren.

Questions and Responses:

1. Drunk Driving - Ms. Ness began the questioning by speaking about drunk driving, the number of liquor establishments in town, and what measures might be taken to manage this situation.
Mr. Droney's response – This is a national problem. He spoke of a grant program that was aggressively pursued by him while on the Enfield, CT department. It's a matching program that is used for directed enforcement through training in recognizing the problem driver. He said this is not an area where discretion is allowed. He is not a fan of "stake out" bars and restaurants.
Mr. Paciorek said he could only add three things: to be proactive, visible, and well-trained.
2. Ms. Clarke said Deerfield is a small town where things are done because that's the way they're always been done. How do you bring modern practices to a small town with serious budget constraints?
Mr. Paciorek - You take baby steps. He went on to explain that when he was in Erving he took leaps. He has learned that you have to train the people and the officers about any changes and goals. In his 25 years growing up in Deerfield he always found Deerfield people open minded – open to change.
Droney – He came from a department that got whatever it wanted. In Ashfield he has to work with serious budget constraints. Patience is the key; Rome wasn't built in a day. Sometimes the capital outlays, which may seem like just adding more toys for the department, have to be shown to improve the efficiency of the department. You have to be creative and explain things in language people understand – not police lingo.
3. Ms. Ness said that from time to time there are Board of Health problems that are addressed to the Police Department. How do you sort out the problem and work with the BOH to address it?
Droney - In Ashfield the BOH is a separate board. Keeping open lines of communication is important. He mentioned for example, he is aware there is something going on with a large house in town, but the police haven't been involved.
Paciorek – Communication is the key.
4. Mr. Gilmore said that 20% of Deerfield's population is over 65. An equal percentage is under 18. How do you see yourself managing these populations?
Paciorek – He'd like to restart the Police Explorer program. He mentioned other programs such as RADD (a defense program), and monthly meetings at the Senior Center to discuss things like fraud and scams. In Sturbridge, he is involved in a student police academy which he described a

10-week class for high school seniors. He commented that many students weren't very excited about the program in the beginning, but by the end they were quite enthusiastic about law enforcement.

Droney – One of the first things that he did when he came to Ashfield was to conduct a community survey to educate himself on what the community felt it needed. Programs for kids and seniors seemed to be the main areas of interest. He spoke of seminars for seniors (tripping and falling hazards, identity theft), Channel 3 has come to Ashfield to present a program. He noted that the fastest growing segment of the population is seniors. He talked about the Kids Market, held once a week and the department's support. The recent "National Night Out" event was a huge success. He has a school resource officer program that he sees as an important way to break down barriers between police and kids.

5. Ms. Clarke said the Deerfield Police Department has recently unionized. Talk to us about how you handle unions and the tight constraints of union contracts.

Droney – While in Enfield, Droney served on the executive board of the union. He was union president for a year. He has training in the Rights of Officers from the union perspective. He has also served on the School Committee, where he was a personnel committee member involved in collective bargaining with the teachers. There he was able to get union concessions and worked on grievance resolutions. He said there has to be a balance between the unions and the department/ town. They're working for the same purpose.

Paciorek – His first experience with unions was when he worked in Sunderland. As the Chief in Erving, where there was no union, he had to work from both sides of the table to make sure his department had benefits enough to keep the turn-over of officers down. In Sturbridge he is the union president. He has a healthy respect for unions. He knows the officers in Deerfield as down-to-earth and has no concerns. He has seen their contract.

6. Ms. Ness reported that she recently received an Officer Down Training Grant from Homeland Security for the county. She said community policing funds had basically dried up. What will you do to replace the loss of these training funds?

Paciorek – You have to be creative- look for grants. Find out what officers are really good at and send them to instructor school so they can come back and train the officers here. On-line training courses offered by the State Police and the Executive Office of Public Safety are sources of many good programs. Sturbridge does its training on-line.

Droney – Beacon Hill doesn't seem to know there are people in the western end of the state. Most of the training opportunities seem to be in the eastern part. He has a frugal training budget and was really disappointed that the state eliminated funding for mandatory training. There are free on-line opportunities. He suggested that sending an officer to be a trainer who could come back and train officers from other departments could be a revenue source.

7. Ms. Clarke spoke of the state's push toward regionalization. She didn't see that as happening, but how might this work should the need arise?

Droney – He's the only full time officer in Ashfield. State Police cover when there's no one on duty, which is a lot. A well grounded mutual aid program with the surrounding towns is a must for his town. He would not like to see a situation where an officer might be available to assist in another town, but due to restrictions would not be allowed to respond.

Paciorek – When he was chief in Erving, officers in Gill and Northfield knew that if needed an Erving officer would be on his way to assist. For Deerfield, a good relationship between the south county towns would be key to improvement of the safety for the larger community.

8. Ms. Ness asked how police work will change in the next 5 – 10 years.

Paciorek – Things are evolving so fast; they change from year to year. He talked about smart phones and black boxes that can reconstruct accident situations. He doesn't know what's in the future.

Droney – Droney said he remembers how exciting it was to get electric typewriters; now there are ipads, and apps for police work, even cameras that officers can wear on their persons. Even in

Ashfield he uses social media; Facebook is used to report items of interest and to gather intelligence. If he is offered the Deerfield position, he will work; exercising patience, to stay on top of whatever comes available.

9. Mr. Gilmore said since both candidates live out of town, people want to know if they are willing to move to Deerfield.
Droney – The Town of Ashfield gave him two years to relocate closer to town. That was because his daughter was a junior in high school and he didn't want to disrupt her school experience. It was his understanding that Deerfield would require him to be within 15 miles of town. He was willing to do that. He knew his wife would enjoy living near Yankee Candle.
Paciorek – He can be in town within a week or two. His parents have two spare bedrooms. He has registered his kids in both towns so they can attend either school, depending upon what develops.
10. Ms. Ness asked the candidates to talk about why they want this job.
Paciorek – This is his dream job. His heart and soul has always been here. He had always imagined becoming chief when "Chief Woz" retired. He plans to be here for 18 years.
Droney – Droney said he isn't using this position as a stepping stone. He would be in Deerfield for 10 years. He was impressed that the officers in Deerfield love the town and want to do more for the town. He felt he and the officers had the same goals. He looks forward to developing a career path (rank) for them. In a well run department the Chief would have a succession plan i.e. having an officer ready to step up to his position when he's ready to retire. Deerfield has a good mix of business and farms. He thinks Deerfield will be a great place to work.
11. Ms. Clarke said she has been approached by people who indicate there is a perception that profiling is going on.
Droney – He had heard of profiling in Ashfield, but he doesn't know what it was. In Enfield officers complete a form following all stops. These forms are filed with the state to ensure that there is no profiling going on. He has been working on adopting accreditation standards to fit the needs of Ashfield. He is in favor of a strict non-profiling policy. Everything comes down to training. Lack of training is one of the largest liability issues for a community.
Paciorek - There needs to be a zero tolerance policy. Once again training is important. The more educated the officer, the more open he is to society. Every stop is logged. That data can be retrieved for review. If there is a problem, it can be identified and will be addressed immediately. When asked if that data would include the passenger in a vehicle, he said sometimes yes, sometimes no. Generally the data would give the registered owner of the vehicle and driver information.

A follow-up question was asked about a profiling claim and the legitimacy of the stop. The response from Paciorek was that you have to be able to extract data to show overwhelming odds that the officer is doing something he/she shouldn't be. The suggestion was made that the officers probably know most of the vehicles owned by townspeople and officers might direct their attention on other (non-residents). Stops should be made; tickets don't have to be issued just to advise someone of a problem like a light that's out.
Droney – When he came to town some people wanted residents to be treated differently than those just passing through. He went on to say that's a form of profiling and can't be a department policy; everyone has to be treated equally.
12. Ms. Clarke said the town was at the point where we have the opportunity of designing a well documented system for handling enforcement of civil violations, such as failure to obtain a food permit. She would be curious to know how this might help the police department and what the due process should be, etc.
Paciorek – When bylaws are drafted there is an allowance for civil enforcement. The bylaw states the enforcement bureau (BOH, BOS, etc); usually the police department is included under each. For civil citations there is the 51% burden of proof. A hearing officer is needed in case there is an appeal and a decision about when the matter goes to the next level (court).

Droney – In Enfield violations were called false alarms. The process was that a person could have 2 false alarms, after that the fines increase. Originally, a board was supposed to conduct hearings; however that didn't work out, so Droney was tasked with rewriting the procedure. It called for a hearing officer who was a police officer. That was perceived as a conflict of interest. He said he likes the independent hearing officer arrangement better.

Part 2 – Ms. Clarke talked about documenting policies so that everyone knows what they are. She noted that the police union contract refers to policies which may not exist. The Police chief has always maintained a visible presence about town, balancing administrative load with the need to be out there. She invited the candidates to discuss how each would handle this.

Droney - Policy development is time consuming and could mean working more than 40 hours/week during the process. Fortunately, some tasks can be delegated. Droney has experience with policy making as he was tasked with updating the Enfield policy manual. Not being a known person to the people of Deerfield he will need to be out where people can get to know him. Paciorek - He agrees that policies are important. Every five years the Mass Chief's Association reviews and writes policies which departments can adopt and edit. Another source of policies is from other departments of similar size. The core liability issues: use of force, pursuit, and domestic violence need to be in place first. Other policies can be reviewed on a less urgent schedule. Policies have to be reviewed and approved by the Board of Selectmen. Changes in policies could mean changes in working conditions which could be a union issue.

At this point, Ms. Clarke said she felt her questions had been answered. She felt she was comfortable with both candidates. Ms. Ness was satisfied that her questions had been answered. She thanked both gentlemen, saying that there couldn't have been two better candidates. She began the polling by stating that she had awarded points to the responses, giving Mr. Paciorek 19 points and Mr. Droney 16. Therefore she would recommend Mr. Paciorek. Ms. Clarke named Mr. Paciorek as her choice; Mr. Gilmore followed suit. When asked about the response of the Police Department personnel, it was learned that strengths and weaknesses of both candidates were noted, but a recommendation was not made.

Mr. Kubiak was tasked with making arrangements for the background check and the physical exam. Once these are satisfactorily completed a salary and benefits package can be negotiated.

Mr. Gilmore then addressed the audience, thanking everyone for coming. He said he would be available to take questions/comments from anyone who wished to speak to him. With that the meeting adjourned.

Respectfully submitted,
Priscilla Phelps