

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL WORKSHOP
Monday, April 2, 2012
TOWN HALL CHAMBERS
7:00 p.m.**

A Town Council Workshop Meeting of the Old Orchard Beach Town Council was held on Monday, April 2, 2012. Chair Quinn opened the meeting at 7:02 p.m.

The following were in attendance:

**Chair Bob Quinn
Vice Chair Michael Tousignant
Councilor Sharri MacDonald
Councilor Robin Dayton
Councilor Michael Coleman
Town Manager Mark Pearson
Assistant Town Manager V. Louise Reid
Finance Director Catherine Saltz**

The Police Department

The Police Department prepared the following information for the Council: The Police Department is charged with the preservation of life and property, through the enforcement of all Federal and State laws and Municipal ordinances and regulations. An intricate part of achieving excellence in law enforcement is the adequate training of police officers; enhancing neighborhood policing; and quality customer service. There are several sections that make up the department including Administration, Patrol, Criminal Investigation, and Support Services. Administration of the Police Department consists of the Chief of Police, the Deputy Chief and the Administrative Assistant. Administration is responsible for the day-to-day operations of the staffing, training and overall efficiency of the Department. The Patrol Division commanded by a Lieutenant is made up of three teams each having a Sergeant and a Corporal. The Division is responsible for the overall protection of lives and property, maintaining law and order and responding to requests for services (emergency and non-emergency). The Patrol Division enforces all criminal and civil laws that are mandated by the Federal, State or Municipal government. Of the 18 sworn officers in the Department, 13 are assigned to the Patrol Division. The Criminal Investigation Division is comprised of a Sergeant and one Detective. The Detectives are responsible for the investigation of all felony cases and other related cases that are referrals from the Patrol Division or other agencies. The Support Services Division is responsible for all functions that support the Patrol and Criminal Investigation Divisions; the Division includes the Court Officer and the Animal Control Officer.

There are some sources of revenue for the Police Department including the Bureau of Justice Grant; the Maine Bureau of Highway Safety (OUI and Seatbelt Enforcement), and the Inland Fisheries and Wildlife (Eastern Trail.) Other sources of income include parking meter revenue, parking ticket revenue, false alarms fees, ordinance violation

finer, bad check fees, concealed weapon fees, dog impoundment fees, and Police reports. There are seasonal employees including Reserve Officers. These officers supplement the fulltime force during the spring, summer and fall. They hire approximately 40 of them as they do not all work 40 hour weeks; times vary from 16 hours per week up to 43 hours per week depending on the schedule. Parking Enforcement is responsible for the installation and maintenance of all parking meters and pay stations. They are also responsible for enforcement of the municipalities parking regulations. Parking enforcement consists of 14 employees, including one Supervisor.

In discussing overtime it was indicated that Account Number 50111 covers overtime for Police personnel (covers vacation time, holiday, comp time, sick time, etc.) Per contract there is a minimum mandatory number of officers required to be working currently always having a Supervisor on duty. The Police have the following benefits as described under the various account numbers including car allowance; in lieu of health insurance; educational incentive pay; physical fitness incentive; FICA & Medicare-ER share; health insurance – employer; dental insurance – employer; IPP Insurance – employer; Life Insurance – employer; Worker’s Compensation which is new; Health Club – employer; and clothing allowance.

There is an account that funds the costs associated with seminars and conferences. State law requires a minimum of 40 hours of law enforcement training per officer, per year. There is mandatory training that the Academy offers and requires each year as well as an additional 20 hours of training in order to maintain their certification. There is an account that covers travel, food and lodging related to officers attending training meetings.

There is also funding for dues, memberships and licenses including the FBI National Academy, Maine Chiefs of Police and International Association of Chief of Police, NESPIN and Animal License fee to the Department of Agriculture. Physical examinations and employment testing are under the Town Manger’s budget. Service contracts for Police related activities include Pitney Bowes Postage Machine, Action Security, Ballpark Storage, Action Security at the Kennel, Time Warner, Open Fox, Ocean Park Cleaning, Titan Mechanical, Animal Welfare Society, Sanford Communications and Tower rental. The Advertising Budget of \$1,500 was moved to the Human Resource budget. Electricity and Water costs are for two buildings; as well as an account funding phones, cell phones and pagers, all which have recently been accounted for by the Finance Office.

There is an account that funds operating supplies/equipment for the department which includes ammunition, pepper ball gun ammunition, AED supplies, Safety vests, mace, batteries, sound meter calibration, Reserve Officer Equipment, Gun and Cleaning Supplies, range rental, new law updates, LEOM’s, Bicycle and Portable purchases, dog and cat food, kitty litter, parking enforcement batteries, tools, radios and other equipment necessary to maintain and service equipment. Paper towels for building and other miscellaneous supplies are included this account as well. Printing and Copying, investigation supplies, youth officer supplies and vehicle/equipment fuel accounts are also maintained. The K-9 program funds the cost of food, veterinarian

expenses, equipment and certification associated with the K-9 program. The former CIP account is not under a Capital Equipment Replacement and Repair account. The Animal Control Officer is assigned to and supervised by the Police Department. All personnel related costs for this position are in the Police Department budget and the budget is strictly for the Shelter. The responsibilities of the ACO include enforcement of all animal related ordinances pertaining to the Town of Old Orchard Beach; Patrol looking for stray animals; acting as liaison to the planning and code department; and assisting the Town Clerk with Dog Licensing. The shelter has also provided food donations of cat and dog food to be used by several citizens needing help in order to keep their animals. The Parking Enforcement is a Division of the Police Department that operates seasonally and is responsible for installation and maintenance of all parking meters. They are also responsible for enforcement of the municipalities parking regulations.

The Police building itself is new. It was noted that with this being the first year of the building's operation, that some of these numbers are guesses and that next year we will be able to have a better handle on the costs involved.

As in other years the question of the number of police recruits surfaced again and there was discussion on the pros and cons of the number. The Chief of Police strongly indicated that the number of recruits is necessary and offered again to meet individually with any Councilor to discuss the variables that go into the planning and scheduling of recruits. The question of Overtime was discussed and the Chief assured the Council that in every area, constraints are made to cut down on overtime but that there is a system that requires when individuals are out on vacation or sick time, that coverage is vital and overtime has to be paid. The question was asked if everyone is eligible for overtime and the answer was no. It should be noted that the Clothing Allowance line has been reduced because the officers have changed to a less expensive uniform and no ballistic vests will be purchased.

Discussion on the position of Police Chief, Deputy Chief of Police and Lieutenant position found a diverse opinion. It was pointed out when the question was raised if we need a Deputy Chief that he is extremely involved in the day-to-day operation of the Police Department. The ability for good coordination between such groups as the Community Watch and other organized safety activities will be highly impacted with the removal of the Lieutenant position. The question was raised if a Union position could actually be cut unilaterally or do you have to renegotiate the contract.

Below are comments made by the Finance Director – Catherine Saltz:

- We added a line for building repairs a/c #50450 for \$10,000- this had been previously budgeted in a separate building account
- We reduced a/c # 50452-operating Equipment repairs from \$10,000 to \$6,000
- We increased a/c #50453-Vehicle repairs from \$30,000 to \$35,000 due to a late retroactive bill of \$10,000 coming in last week bringing the YTD expense for this line to \$28,000.
- These changes had a 1 cent impact on the proposed tax rate
- **Overall Budget over FY'12 increasing by 3.74%**

Compensation for UNION employees includes the following: (17 FTE's) (excludes state officer)

- A 2% raise –the contract will still be in effect in 2013
- An educational incentive in total of \$13,000 which ranges from \$750 to \$1250 per person
- A physical fitness incentive in total of \$6,125 or \$500 per person
- Clothing allowance of \$14,200
- Holiday pay of \$26,000
- Maine State Retirement System contribution of 9.8%, and 10.2%
- Health insurance contribution of 80% of premium
- Dental Insurance contribution of 50% of premium
- IPP contribution 100% of premium up to 55% of base wage
- Includes “placeholder” for two positions that are currently not working-one is still being paid 100%
- These employees can get paid 75% of their accrued sick time up to a maximum of 720 hours upon termination of employment.

Compensation for NON-union employees includes the following (7 FTE's)

- A 2% raise based on current wages(w/o wages increase for 7/1/11)
- ICMA 5% contribution OR 4.4% for Maine State Retirement
- Health insurance contribution of 88% of premium
- Dental insurance contribution of 50% of premium
- IPP contribution 100% of premium up to 55% of base wage
- A \$2,500 increase for the Animal Control Officer
- Includes the crossing guard , who also works as a reserve officer in the summer
- These employees can get paid 50% of their accrued sick time up to a maximum of 960 hours upon termination of employment.

Two employees are reimbursed (State Officer @ 100%) and the RSU officer by 75% of compensation

Seasonal Staff:

The proposed budget includes

- Reserve Officers: total cost of \$238,000, which includes salary of \$213,552 for 30 officers for 11 weeks July thru September at \$15,600 per week for a total of \$171,600 in addition to pre-season training and pre-season work for \$41,952. (see detailed sheets)
- Parking Enforcement: This seasonal staff costs approximately \$69,000 and is responsible for the parking enforcement, which generates \$380,000 of parking revenues and fines since the parking enforcement is utilized primarily in the summer months. (see detailed sheets)

Overtime

- Average cost of 9% of overall wages-budgeted at \$89,000
- Incurred for extra coverage for large investigations (such as recent arson fires OR upcoming library investigation)

- Coverage for employees who are out on workers compensation- keep in mind that under the union contract any employee who is out on workers compensation still receives their full paycheck (after the w/contribution)

Expenses:

1. Workers Compensation: has been added to this department's budget this year. The rate per \$100 of salary is \$2.48 for police union staff, \$1.36 for the animal control officer and \$.26 for the non-union staff. The total cost is \$33,000 in this budget.
2. All other expenses(except contracts): based on current year actual and review of prior year actual-estimated
3. Equipment: a new line item for small equipment has been added this year at a budget of \$9,600. Any larger purchases are budgeted under the CIP budget which will be discussed at a later date.
4. Contracts (see list at the bottom of the budget): The largest contract for this department is for the dispatch operations- which is a contract with Sanford Communications.
 - **The budget for FY'13 is estimated at \$309,000, which includes an estimated CPI increase of 3% or \$9,000 over FY'12**
 - Contract includes an annual fixed CPI increase of 3% effective 7/1 of each year
 - The contract became effective 6/1/11 and ends 6/30/16, and ,may be extended by mutual consent OR terminated with a written 6 month notice
 - Although it is a 5 year agreement, it has no guarantee of a fixed price due to the provision for an automatic fixed 3% increase annually, and another provision stipulated in the contract which read "the parties agree to analyze the actual cost of providing this service prior to July 1, 2012, and if the actual cost is significantly different than the initial assumptions, the parties agree to renegotiate in good faith in order to reach a mutually acceptable revised annual fee for the remainder of the term of the contract.
 - Due to this provision-we do not know what the actual cost will be for FY'13
 - **The TOWER rental contract is \$400 per month and increases automatically by 5% each year, and we are charged for an additional electrical cost**

Cost Savings-potential

- Close the Animal Building, and it will save approximately \$6,000 annually
- There is \$18,000 budgeted for cleaning costs for the building- the town-wide maintenance/cleaning needs could be reviewed for costs savings across the board- these funds could be combined with other departments. The internal maintenance staff person costs \$50,000 per year, excluding overtime.

**Revisit: Need for Deputy Chief of Police
Revisit: Compensation**

Fire Department

The Fire Department prepared the following information for the Council:

The Old Orchard Beach Fire Department provides public fire/rescue protection through fire prevention, emergency operations and support services. The Administrative Division consists of the Fire Chief and the Administrative/Rescue Billing Clerk. The staff is responsible for the management of all call force, rescue and career personnel and routine operations, the maintenance of safety programs, the maintenance of the public safety complex, ambulances and fire apparatus, ambulance billing, federal and state directives compliance, inspections, equipment, records management, payroll and training. The lifeguard division of public safety also falls under the supervision and direction of the Administrative staff during the summer season.

The Fire Suppression/Hazardous Materials program consists of twelve career fire/EMS personnel, thirty call force personnel responding to an average of 2,500 EMS/fire calls per year. The objectives are to protect lives and property from fire/rescue emergencies including but not limited to structure fires, hazardous materials releases, water rescues, explosions, medical emergencies, motor vehicle accidents, water removal, and electrical problems, open burning permits, etc. The personnel also are assigned non-emergency functions such as maintenance of the complex, grounds, vehicles, tools and equipment. They conduct fire prevention and safety inspections, fire education programs, and train on a regular schedule in order to maintain skills, duties, responsibilities and mandated compliances of the job.

The Fire prevention/investigation program is a comprehensive program for fire investigation and cause determination, assistance to the Town Code inspections office, pre-construction plans review, fire protection systems inspection and fire prevention education in schools and the community. These functions are accomplished primarily by career personnel.

It is noted there are four career (fulltime) captains and eight firefighters/paramedics. There are two Call force Captains, four Lieutenants, four Crew leaders, fifteen call men and eight fire/police personnel. These are all integral to carrying out the public safety mission. There is also a staff of twenty part-time emergency medical technicians who staff the ambulance with a career firefighter/paramedic who are responsible for patient care.

Emergency Management Services provide emergency medical treatment by cross-trained career personnel and per diem rescue personnel utilizing fire apparatus, one primary ambulance and a second ambulance during the busiest months of the year. The career staff consists of nine EMT-Paramedics, two EMT-Intermediates, and one EMT-Basic all which are cross-trained as firefighters. The per diem (part time) staff currently consists of seven EMT-Paramedics, six EMT-Intermediates and five EMT-Basics which work either twelve or twenty-four hour rotational shifts on our ambulance with a career Paramedic. The ambulance transports primarily pre-hospital emergency care patients and/or mentally distressed patients with only an occasional non-emergency transport. EMS related calls account for approximately two-thirds of the total call volume of the department. The per diem staff is not used for fire suppression duties as a general rule but do provide EMS services on the fire ground. Ambulance staff members also have to comply with federal regulations such as HIPPA privacy requirements, infection control and respiratory protection requirements.

The fire/rescue department is mandated to be compliant with unfunded Federal and State directives such as those listed below:

- Annual fit-test and physical evaluations for employees who wear respirators in atmospheres which are an immediate danger to health and safety;
- Annual fit-test and physical evaluations for employees who wear respirators in atmospheres where infectious disease may be present;
- Federal OSHA/National Fire Protection Association requirements for annual testing of ladders, apparatus pumps and self-contained breathing apparatus; and
- State Bureau of Labor Standards mandates for annual fire training, facility safety measures and air compressor certifications.

The Town employs a lifeguard staff which ranges in number from twenty to thirty each season. These guards work up to forty hours per week; seven days a week; with a preferred minimum staff of eighteen guards on the beach each day. The beach is “guarded” from 10:00 a.m. to 5:00 p.m. each day. There is a Lifeguard Captain and several Assistant Captains who supervise the employees and assign posts based upon seniority and compatibility. Guards are required to wear approved “beach uniforms” which are alike and designate themselves as Town lifeguards. All guards are required to have a lifeguard certificate and must participate in training and physical conditioning as required. We have twelve lifeguards’ stands which are placed within eyesight of each other and sometimes closer in the heavily populated sections. A surf rescue truck is utilized to transport additional guards to towers where guards enter the water to conduct rescues.

The internal funding sources include ambulance billing and the external funding includes private donations. Some projects taken on by members of the Fire Department this year included completely remodeling the Public Safety Complex; purchasing replacement of cardiac monitor; and the purchase of training mannequin by donation. In the discussion of overtime wages it is noted that the Union contract requires a minimum of three people on duty; vacation, sick leave, personal days and funeral days are considerations of the need for overtime. Callback of fulltime personnel to aid at incidents results in overtime as well as long-term absences. Outside training is required by the State, Federal standards and to maintain EMS certifications.

Benefits to the Fire Department include car allowances, The Police have the following benefits as described under the various account numbers including car allowance; in lieu of health insurance; physical fitness incentive; FICA & Medicare-ER share; health insurance – employer; dental insurance – employer; IPP Insurance – employer; Life Insurance – employer; Worker’s Compensation which is new; Health Club – employer; and clothing allowance.

There is a conference/training line which is used to pay for recertification of career EMS personnel, career and call force personnel to attend outside training and instructor costs of visiting instructors. Advanced life support classes, pediatric advanced life support, paramedic and intermediate recertification, firefighter classes, pediatric advanced life support, paramedic and intermediate recertification, firefighter 1 classes, advanced firefighting classes, water rescue classes. A line for tolls or other incidental costs associated with traveling to fire or EMS training. There are membership licenses for Maine EMS ambulance licensing fees, Maine and International Fire Chief’s annual dues, industry magazine subscriptions, York County Firefighters Association dues. Physical Examination goes under the Town Manager’s budget as well as Employment Testing. Service contracts include Ortivus Rescue Billing Software Support, IMC Reporting Software Support, Image Trend Software Support,

Cardiac Monitor Maintenance, Advantage Gas Cylinder Lease, SCBA Cylinder and Pak Maintenance. There are account lines for Equipment Testing, Hydrant Rental, Electricity, Water, Phones, cell phones and pagers, heating fuel, building repairs, operating equipment repairs, vehicle repairs/tires/oil and office supplies/operating supplies and equipment.

There are medical supplies which are required such as gloves, bandages, oxygen, cardiac monitor pads, patient stabilization kits, stretchers, suction kits, IV kits, emesis pails, bag/valve/mask, intubations tubes, thermometers, diabetic monitoring equipment and supplies, patient restraints, portable oxygen cylinders, etc. For the fire department there is turnout gear, gloves, helmets, ogles, boots, hoods, flash lights, radios, monitor pagers, cameras, axes, nozzles, hose, accountability tags, scuba packs, scuba masks, hand tools, power tools, generators, smoke ejectors, ladders, ropes, extrication tools, saws, pry bars, computers, gas meters, hose wrenches, adapters pike poles, batteries, fire extinguishers, water rescue equipment, salvage covers, salvage tools, rescue belts, water cans, fire line tape, foam, etc. There is a line that covers educational material as well. Again, the Capital equipment replacement and repair account replaces formerly the CIP account.

In discussion of the salaries, the question of the amount in the Fire Chief salary line last year was questioned.

The Finance Director made the following comments to the Council:

FIRE DEPARTMENT BUDGET NOTES

- Increased clothing allowance a/c #50230 for lifeguards from \$1,500 to \$3,000
- Decreased service contracts a/c #50310 from \$11,000 to \$9,500
- Increased Operating Equipment Repairs a/c #50452 from \$3,000 to \$4,000 b/c we need to recertify the SCVA bottles (used for breathing air when entering a structure)
- **Overall Budget over FY'12 increasing by 1.39%**

Compensation for UNION employees includes the following: (16 FTE's) (includes 4 part-time EMT equivalent positions)

- A 2% raise –the contract will still be in effect in 2013
- A health club reimbursement in total of \$5,200 or \$400 per person
- Clothing allowance of \$7,300
- Holiday pay of \$33,000
- Maine State Retirement System contribution of 6.3%
- Health insurance contribution of 80% of premium
- Dental Insurance contribution of 50% of premium
- IPP contribution 100% of premium up to 55% of base wage
- Supplemental life insurance policy of \$50,000 per employee
- These employees get paid accrued sick time up to a maximum of 1,440 hours upon termination of employment. An employee in this department accrues up to 3,120 hours of sick time, which is over 2,000 hours more than other departments, and a payout of 1,000 hours OR a cost of \$25,000 per employee above all other Union employees.

Compensation for NON-union employees includes the following (7 FTE's)

- A 2% raise based on current wages(w/o wages increase for 7/1/11)
- ICMA 5% contribution OR 4.4% for Maine State Retirement
- Health insurance contribution of 88% of premium
- Dental insurance contribution of 50% of premium
- IPP contribution 100% of premium up to 55% of base wage
- These employees can get paid 50% of their accrued sick time up to a maximum of 480 hours upon termination of employment, and they earn a maximum of 960 hours.
- ON-call Force: Total stipends of \$45,000 includes (\$40,000 of wages): varies by level of experience and rank. Covers 25-30 people, an average as \$1,500-\$1,800 for officers, and other staff \$1300-\$1400 per person- year round

Seasonal Staff:

The proposed budget includes

- EMTs: @ \$12.00 per hour for a total cost of \$27,000 includes \$24,000 of wages- which is 2 part-time people June 15-Sept 15, at 24 hour shifts for approx. 90 days= 2,160 hours approximately
- Lifeguards: This seasonal staff costs approximately \$130,000 includes (\$115,000 for wages) for 35 staff

Overtime

- Average cost of **29%** of overall wages-budgeted at \$177,000
- Incurred for standard work weeks of 2 hrs PT per person due to a 42 hour workweek.
- Used to cover sick time, vacation time, and other absences
- 1 day on, 2 days off, 1 day on, 4 days off, 3 man minimum per shift creates a 42 hour workweek for 12 full-time staff
- Coverage for employees who are out on workers compensation- keep in mind that under the union contract any employee who is out on workers compensation still receives their full paycheck (after the workers comp payment)

Expenses:

5. Workers Compensation: has been added to this department's budget this year. The rate per \$100 of salary is \$4.89 for fire union staff, and \$.26 for the non-union staff. The total cost is \$42,000 in this budget.
6. All other expenses(except contracts): based on current year actual and review of prior year actual-estimated
7. Hydrant Expense : The largest expense (except compensation) for this department is for the Hydrant rental. Rates on this contract are set by the PUC- we do not have control on this.
 - **The budget for FY'13 is estimated at \$127,000, which is a decrease of \$10,000 over FY'12**

Revisit: Explain the difference in the Fire Chief salary line last year.

Summary of Workshop:

There were comments during the session made by John Bird, Ron Vire, Neal Weinstein, Paul Ladakakos, and members of staff relating to every area of discussion. Recognition of the value of the services of both Police and Fire were often recounted.

**Revisit: Need for Deputy Chief of Police
Revisit: Compensation – Police Department**

Revisit: Explain the difference in the Fire Chief salary line last year.

The meeting was closed at 9:53 p.m.

Respectfully Submitted,

**V. Louise Reid
Town Council Secretary**

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of ten (10) pages is a true copy of the original Minutes of the Town Council Workshop of April 2, 2012.

V. Louise Reid