

**OLD SAYBROOK POLICE COMMISSION**  
**Special Meeting**  
**March 28, 2011**  
**MINUTES**

A Regular meeting of the Old Saybrook Police Commission was held on Monday, August 23, 2010 at the Old Saybrook Town Hall. PRESENT: Chairman Burnham, Vice Chairman Conklin, Secretary Winkler, Commissioners Gallicchio, Sparaco, Metsack and Zemienieski. Chief Spera was also present.

**I. Call to Order**

Chairman Burnham called the meeting to order at 7:00 p.m.

**II. Minutes**

**A. January 17, 2011 – Special Meeting**

Chairman Burnham asked for discussion or approval of the January 17, 2011 Special Meeting minutes. It was noted that the numbering in the draft set of minutes was incorrect. **A motion was made by Commissioner Gallicchio to approve the minutes as amended to correct the numbering. Motion seconded by Commissioner Sparaco. Motion Passed by unanimous vote.**

**B. January 24, 2011 – Special Meeting**

Chairman Burnham asked for discussion or approval of the January 24, 2011 Special Meeting minutes. **A motion was made by Secretary Winkler to approve the minutes as presented. Motion seconded by Commissioner Gallicchio. Motion Passed by unanimous vote.**

**C. February 21, 2011 – Special Meeting**

Chairman Burnham asked for discussion or approval of the February 21, 2011 Special Meeting minutes. **A motion was made by Commissioner Gallicchio to approve the minutes as presented. Motion seconded by Commissioner Sparaco. Motion Passed by unanimous vote.**

**III. Comments from the public:**

A member of the public, who identified himself as Mr. Jim Lynch – a former member of the Police Department Building Committee – addressed the Commission. Mr. Lynch expressed his sincere concern about how the First Selectman handled disbanding the committee and his demeanor towards those who volunteered to serve on the committee. Mr. Lynch stated that he had devoted time and effort and was also willing to contribute financially to the project and was dismissed by an email from his volunteer role on the committee. He stated that he is disheartened as a volunteer and disappointed in the manner in which Selectman Pace is characterizing meetings of the committee or the desires of the police chief. He stated that he never once heard the police chief express his desire for an elaborate facility, just one that meets the needs of the department and the safety for his officers. The Commission expressed concern for the manner in which he was dismissed from the committee and formally thanked him for his service.

**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 section. He spoke about his concerns with running in the red in several

categories. One such concern related to CL&P. He stated that the budget never prepared for the temporary facility that the Department was current operating from. He stated that he will be working with the Treasurer's Office to identify the monies set aside to assist with the payment of utilities for the Temporary Facility. There was also discussion about the Department being burdened with paying utility bills at both the former police station and the new police station on Custom Drive. The Chief asked Sergeant Roche to speak about his recent assignment to mitigate expenses at the old, damaged facility. Sergeant Roche addressed the Commission on how he had requested that CL&P change the manner in which the Department is billed at the old facility and how he has identified a billing error in the Town's favor to erase a past due amount on the bill that dates back to 2009. Commissioner Sparaco echoed the work that had been done as it is now reflective in the monthly bills.

The Chief also expressed concern over managing and being responsible for the contractual legal line item. He stated that the costs incurred by the Selectman's Office for workman's compensation and heart and hypertension claims are being deducted from the Department's budget. All the Selectman's costs for contract arbitration are also being deducted from the Legal line item. The Chief stated that he does not approve the expenditure before they occur and has no way of controlling costs. He pointed out that legal labor costs incurred by the Selectman's office for all other municipal employees are deducted from a separate budget and not from any other Department's Operating Budget. Chairman Burnham stated that she would contact Town Counsel about the issue. Commissioner Metsack stated that the budget that the costs should be deducted from is entitled "Labor and Personnel". The Chief did state that the Selectman's office provides him a copy of the bill and their check request from that details the funds being deducted from the police budget.

Commissioner Sparaco discussed his concern regarding funds concerning personnel expenditures. He stated that the Commission does not review those expenditures every month. A lengthy discussion took place regarding Commissioner Sparaco's request. The Chief provided an explanation of how personnel funds are used, the discrepancies between the Department and Town Hall accounting practices, and the misinformation that detailed reports could provide. He suggested that if there was a direct question about a specific expenditure that he would be able to research it and provide an answer. It was also decided that beginning in July 2011 that the Chief would provide a verbal report on the status of the various personnel line items.

**2. *Asset Forfeiture:***

Chief Spera reported the balance to be \$16,837.49.

**3. *Capital Sinking Fund:***

Chief Spera reported the balance of \$84,504.84.

**4. *Law Enforcement Fund:***

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

**5. *Awards and Decorations:***

The Chief reported that Mary E. Johnston left a bequest of \$25,000 to the Department of Police Services. He reported that these funds will be used to support the Department's annual awards ceremony and will be deposited into a municipal account labeled Police Uniforms and Awards. This line item is comprised solely of donated funds directed specifically toward the new uniforms and now awards and decorations. The Chief stated that this funding should be able to pay for the next five years of annual award programs.

**6. *2011-2012 Budget:***

Chairman Burnham and Chief Spera spoke about their regular attendance and conversations with the Board of Finance concerning next year's proposed operating and capital budgets.

Commissioner Winkler asked how the second patrol dog was working. The Chief informed the Commissioner that the second patrol dog is part of next year's budget and most likely would not

be implemented until the fall of 2011 or the very beginning of 2012 depending and training class availability.

Commissioner Gallicchio asked if the Chairman of the Board of Finance ever acknowledged Chairman Burnham's letter and request for a joint meeting. Chairman Burnham informed that she has never had any communication with the Board of Finance regarding her cover memo to the proposed budget. Commissioner Gallicchio stated that he felt that was rude and unprofessional. He stated that he is very disappointed that there was never a joint meeting or an acknowledgement from the Board of Finance.

## **B. Traffic Planning:**

### **1. Route 1 Sidewalk Project**

The Chief reported that he worked with Public Works Director Bonin to connect sidewalks on Route One. He stated that the Federal Sidewalk Project currently underway leaves a twenty six foot section from Pond Road to Lynde Street without a sidewalk. The Chief reported that he feels that this is unsafe for pedestrians. He stated that he does not support nor does the DOT desire a midblock cross walk across four lanes of Rt. 1 to connect the sidewalks. Therefore he wrote a letter to the Inland Wetlands Commission requesting permission for Director Bonin to construct the sidewalk. Director Bonin appeared at the meeting and the request was granted primarily for the safety concerns cited in the Chief's letter.

### **2. Intermodal Transportation Committee**

The Chairman reported that the Bikeway Committee has been disbanded and that a Intermodal Transportation Committee will be established in the future. Commission members felt very strongly that a member of the Commission should participate on that Committee and that the Committee be made aware of the Legal Traffic Authority's jurisdiction over traffic matters.

A question was raised over the striping of Old Boston Post Road. The Chief stated that he was concerned that there are no markings on the roadway. He suggested that the Commission revisit their decision on roadway width, altering their decision from eleven foot lanes to ten and one half foot lanes to provide more of a compromise to Selectman Pace and Peace's desire of ten foot lanes or narrower. The Commission stated very clearly that they were not interested in revisiting their decision, that a decision was made, and that they are concerned that their directive has not been carried out. The Chairman stated that she will send a letter to Public Works Director Bonin to address the matter.

## **C. Administrative**

### **1. Pending Legal Matters:**

The Chief reported that the Town has won Ms. Donna Ladner's Unemployment Compensation Appeal Hearing. He stated that Ms. Jean Marie Harvey did not file for an appeal after being denied benefits following her first hearing. The Chief pointed out that in total there have been three hearings on the complaints from the former employees that they resigned employment because of a hostile work environment and all three hearings found that no such environment existed.

The Chief reported that there is still a pending claim by the Town's Support Union over the Dispatchers assisting with records duties during the transition period in the Records Division. He stated that he feels very strongly that the Town did not violate any bargaining unit agreements.

### **2. Civilian Staff Orientation:**

The Chief reported that he developed the first ever non-union, civilian staff handbook which was unveiled during a three day orientation program coordinated by Sergeant Roche. The Chief asked Sergeant Roche to discuss the hiring process. Sergeant Roche discussed the hiring process and the open positions which were advertised in The Day newspaper, Craigslist and the CCM website. The response was overwhelming as more than one hundred applicants applied for the various positions. Dispatcher Spinelli and Patrolman Mulvihill helped with the process including the oral examinations, Detectives Barnes and Perrotti conducted the background investigations and Chief Spera conducted the final interviews. In total there were 56 Executive

Secretary applications, 28 Bookkeeping applications and 19 Records Clerk applications. A practical examination was held, coordinated by high school business teacher Terri Lynn which included testing on Microsoft Office, Typing Speed, Excel, Word, Graph creations, PowerPoint and a handwritten writing prompt. Following the testing process, including oral interviews and background investigations, a total of six were recommended to the Chief and four individuals were hired: Executive Secretary Sonal Sharma, Records Clerk: Mary Lou Sunday & Michelle Berner and A Records Clerk assigned to Specials Project Trent Gerbers. The Chief also hired Phil Coco as a part time per diem employee to be the Department's Emergency Medical Services Director and oversee the First Responder Program and begin the process of implementing a strict quality assurance and quality control process for Emergency Medical Dispatching.

3. **Promotional Process :**

The Chief provided an update on both the Patrol Sergeant and Lieutenant Promotional Process. When asked, the Chief advised that both Sergeant Gardner and Sergeant Roche have applied for the Lieutenant's position. There was discussion about the new roles and responsibilities of the newly promoted Lieutenant. Commissioners asked if they could review the resumes of both candidates prior to their interviews. The Chief stated that he would provide them copies at the proper time.

The Chief asked that the promotional list for Master Sergeant be extended to at least August 30, 2011. He stated that there is not enough time to establish another promotional process and that based on Commissioner input there made need to be more discussion regarding the role of the Master Sergeant position. **Commissioner Metsack made a motion to extend the Master Sergeant Promotional List until August 30, 2011. The Motion was seconded by Vice Chairman Conklin and Commissioner Gallicchio. Motion Passed by unanimous vote.**

4. **Contract Negotiations (COPS 106 & AFSME)**

The Chief reported that arbitration continues for the Police Contract. He stated that he is still very disappointed that the Commission does not have the ability to negotiate with the COPS union as he feels costly arbitration could be avoided.

The newly created Dispatcher Union has not yet begun contract negotiations.

5. **Employee Discipline**

The Chief reported verbatim: "In accordance with Department Regulation 55.14 it is my responsibility as Chief of Police to report discipline imposed on a member of the police department.

A probationary patrolman was suspended for five (5) days without pay, placed on additional six months of probation, and issued a final warning for violating department rules and regulations. Specifically part, **30.07 TRUTHFULNESS**, and the following sections of the Uniform Standards of Conduct Section 1, **EXERCISING COMMON SENSE and AFFIRMATIVELY PROMOTING OUR VALUES** Section 4 **Maintaining Acceptable Attendance and Availability for Work**, Section 11, **DISHONESTY or UNTRUTHFULNESS**, and Section 16, **INSUBORDINATION**.

The suspension is currently being served, was accepted and not subject to grievance."

## V. Field Operations Report

### A. Professional Development Activities

1. **Patrolman Hackett and Ciccone:**

Patrolman Hackett and Ciccone will graduate from the Connecticut Police Academy on April 6, 2011 and will begin their Field Training shortly thereafter. A badge pinning ceremony will be

held on that afternoon at the Kate. All Commissioners are welcomed and encouraged to attend. The Chief stated that both are a welcomed addition to the Department.

## **2. Patrol Rifle Certification**

The Chief reported that Patrol Rifle certification will begin in April. He stated that the two day course is being instructed by Detective Sergeant Heiney and Patrolman DeMarco. He stated that the Department has been divided into three separate classes and that the course will be held at the firearms range in Meriden. When the course is completed, the Chief will have Detective Sergeant Heiney and Patrolman DeMarco brief the Commission on the new weapons.

## **B. Uniform Committee Progress Report**

### **1. Class A Uniforms:**

The Chief reported that the Committee is moving forward based on input from the officers and the Commission on selecting styles for the new uniforms. The Chief stated that committee will keep the Commission apprised of progress and final selections.

### **2. Patrol Jackets**

The Chief reported that all patrol jackets have been ordered, received, and provided to all Department staff. All are pleased with the quality and warmth that the new jackets provide.

## **C. Activity Report**

### **1. January 21, 2011 – March 23, 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 officers for handling everything that comes their way in a professional and thorough manner. Chairman Burnham commented that she is always amazed at the amount of activity our Department handles each and every month.

## **VI. Support Operations – Reports**

### **A. Emergency Communications Division:**

#### **1. New System Status:**

The new communication system has not been accepted, however coverage testing is complete. The Town's independent consultant will be conducting an inspection in the next month. The Chief stated that he is eager to close out the almost decade long project.

## **VII. Correspondence:**

The Commission reviewed the various pieces of correspondence.

## **VIII. Police Facility Study / Building Committee:**

Chairman Burnham reported that she has met with the first Selectman who has assured her that he would appoint a new committee in the near future. She stated that she learned that the new Chairman will be Mr. Dan Moran. There was discussion regarding the Selectman's rumored desires not to have the Police Chief as a member of the new Committee. The Chief stated that he will make every effort to be on the new committee as he believes a police chief's input when building a new police facility is vital. He stated that he is hopeful that new committee will be open minded and be mindful of the requirements concerning police facilities, the safety of officers and the public, and current and future growth needs. He stated that in the end, he hopes that he can publicly support the newly designed facility. The Commission agreed with the Chief and spoke about misrepresentations of the Department's desires for a new building. The Chief stated that he only desires an operationally sound facility that is safe for all.

Vice Chairman Conklin stated that he wanted to clarify some issues regarding the committee that was disbanded that he was Chairman of. He stated that he never questioned the Selectman's authority to create, modify, or disband the committee. Vice Chairman Conklin stated that the First Selectman still has not discussed the matter with him, has not attempted to contact him, and stated that he received the same email as Mr. Lynch spoke about at the beginning of the meeting. He wanted the Commission to know that while there has been mention of a final design plan, there never was one. He also pointed out that because there was never a final design plan there was never a final

price. He further explained that a concept was provided to the building committee in late November. Mr. Pace and Mr. Peace attended the meeting and voiced their opinions. It was decided at that time to direct the architect to make changes to the building to make it more affordable to construct. He stated that he and Secretary Julie Pendleton met with First Selectman Pace on February 18, 2011 and discussed the building. The meeting lasted for two and one half hours and an action plan was developed which included calling for a meeting sometime after February school vacation. Thirteen days later, following their positive meeting with the First Selectman on the new police department, the committee was disbanded by email. Vice Chairman Conklin stated that he never received any communication from the First Selectman. He reminded the Commission that he was the Commissioner who toured the now abandoned facility in July of 2001 with the First Selectman and began advocating for a new building. He stated that he is disappointed in the elimination of the first committee but wants to ensure that whomever is on the new committee that a proper law enforcement facility that meets the town's current and future law enforcement needs are met.

**IX. Comments from the Public:**

No comments from the public at this time.

**X. Executive Session – “Discussion with the Chief of Police Concerning Potential Litigation.”**

**Vice Chairman Conklin made a motion to enter into executive session inviting Chief Spera. Commissioner Metsack Seconded the Motion. Motion Passed by unanimous vote.**

**The Police Commission entered into Executive Session at 9:35 PM.**

**The Police Commission entered into public session at 10:47 PM.**

**XI. Comments and/or Concerns from Commissioners:**

There were no additional comments or concerns.

**XII. Adjournment:**

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

Meeting adjourned at 10:49 PM.

Respectfully Submitted  
Sonal Sharma, Executive Secretary and  
Michael A. Spera, Chief of Police

These Minutes are subject to approval at the next Police Commission meeting.