

OLD SAYBROOK POLICE COMMISSION
Special Meeting
December 19, 2011
MINUTES

A special meeting of the Old Saybrook Police Commission was held on Monday, December 19, 2011, at the Old Saybrook Town Hall.

Present: Chairman Burnham, Commissioners Dunlap, Sparaco, Metsack, Winkler and Zemienieski. Commissioner Finch participated by phone. Chief Spera , Lieutenant Roche and First Selectman Fortuna were also present.

I. Call to Order and Introduction of New Commissioners:

Chairman Burnham called the meeting to order at 7:00PM and she welcomed new Commissioners Finch and Dunlap. In her welcoming, Chairman Burnham noted that the Police Commission is a bipartisan commission and despite spirited discussion at times, that goal is always to do what is best for the town and ensure that residents' needs are met.

II. Minutes

A. October 24, 2011 Regular Meeting

Amendments: **A motion was made by Commissioner Winkler to approve the minutes. Commissioner Sparaco seconded the motion. Commissioner Finch abstained. Motion passed.**

III. Election of Officers

Police Commission Chairman Election

Commissioner Winkler nominated Commissioner Burnham as Chairman of the Police Commission, Commissioner Sparaco seconded the motion. Commissioner Dunlap nominated Commissioner Finch as Chairman. No seconds.

- **Commissioner Burnham was elected Chairman of the Police Commission with a vote of 5 in favor and 2 against.**
- **Commissioner Finch was voted down as Chairman of the Police Commission with a vote of 2 in favor and 5 against.**

Police Commission Vice Chairman Election

Commissioner Zemienieski nominated Commissioner Metsack as Vice Chair of the Police Commission. Commissioner Sparaco seconds the nomination.

- **Commissioner Metsack was elected Vice Chairman of the Police Commission with a unanimous vote.**

Police Commission Secretary Election

Commissioner Sparaco nominated Commissioner Winkler for Secretary. Commissioner Metsack seconded the nomination.

Commissioner Finch nominated Commissioner Dunlap for Secretary. No seconds.

- **Commissioner Dunlap was voted down as Secretary of the Police Commission with a vote of 2 in favor and 5 against.**
- **Commissioner Winkler was elected Secretary of the Police Commission with a vote of 5 in favor and 2 against.**

IV. Appointment of Assignments

A. Operating Budget Expenditure – Review Commissioner

Chairman Burnham appointed Commissioner Sparaco as Review Commissioner.

B. Chairman of the Law Enforcement Fund Committee

Chairman Burnham appointed Vice Chairman Metsack as the Police Commission’s representative for the Law Enforcement Fund Committee. Vice Chairman Metsack will also serve as the Chairman of this committee per an agreement with the Connecticut Attorney General’s Office.

C. Recording Clerk

Chairman Burnham appointed Trent Gerbers as the Recording Clerk

V. Comments from the Public

No Comments were made from the public.

VI. 2012 Regular Meeting Schedule

- The fourth Monday of each month will be designated as the Regular meeting time for the Police Commission
- January 23, 2012 will be a special meeting
- May’s regular meeting was moved from May 28 to May 21 in observance of Memorial Day.
- December’s regular meeting was moved from December 24 to December 17 in observance of Christmas Eve.
- All meetings start at 7:00PM
- The 2012 regular meeting schedule is as follows:
 - January 23 (Special Meeting)
 - February 27
 - March 26
 - April 23
 - May 17
 - June 25
 - July 23
 - August 27
 - September 24
 - October 22
 - November 26
 - December 17
 - January 28, 2013

- **Commissioner Sparaco made motion to approve the regular meeting schedule as presented. Vice Chairman Metsack seconded the motion. All approved.**
- Chairman Burnham opened the floor for discussion about a special meeting in January dedicated to the budget. Wednesday, January 11th at 7:00PM was chosen as the date for the special meeting.

VII. Executive Reports

A. Financial

1.11-12 Operating / Contractual Budgets

- Chief Spera reported that the Office Supply line item is overdrawn by \$1,042.54 due to a necessary purchase of ink cartridges needed to keep the Police Department printers running. He further stated that normally office supplies are purchased at the end of the fiscal year, however, he was unable to do so last year because of the overrun in the legal line item.
- The Chief reported that the gasonline line item has been drawn down to \$0 from \$70,000. The gasoline was purchased at \$3.24 per gallon and should almost last through the remainder of the fiscal year. Any overruns in this line item will go into a municipal fuel fund.
- Chief Spera commented that the Legal line item is over budget because of contract arbitration costs incurred by the former First Selectman. The Commission has sought a legal opinion as to the legality of funds drawn from the Police budget by the former First Selectman and they are awaiting that opinion. Chief Spera explained that these costs incurred were neither planned for nor approved by the Police Commission or himself.
- Chief Spera concluded that the overall Expense and Supply Budget is approximately 54% expended half way through the fiscal year. Chief Spera believes that there is no corrective action that he can take to bring the Contractual Budget back in accordance.
- Commissioner Dunlap asked Chief Spera if he had begun developing a recovery plan in an effort to recuperate the losses from the various overrun budget line items. Chief Spera responded that he did not have a recovery plan as there was no expenditure in the budget that could be frozen, which would amount to the total deficit incurred. Commissioner Dunlap disagreed with the Chief's assessment and urged for immediate action.
- First Selectman Fortuna commented that a legal disagreement between the Police Commission and the First Selectman's Office in regards to the arbitration costs is not appropriate. He suggested that both sides wait and see where the budgets stand in the spring before any decisions are made prior to a legal action. Chairman Burnham agreed that a conflict was neither necessary nor the goal

- Commissioner Finch asked Chief Spera about the 95% expended heating line item. Chief Spera explained that this line item worked the same as the gasoline line item where the heating oil was purchased as part of a pre-buy and should last through the majority of the fiscal year.

2.Asset Forfeiture

Chief Spera reported that the Asset Forfeiture account stands at \$20,361.56

3.Capital Sinking Fund

Chief Spera reported that the Capital Sinking Fund account stands at \$56,840.82

4.Traffic Safety Fund

Chief Spera reported that the Traffic Safety Fund account stands at \$46,393.75

5.Law Enforcement Fund

Chief Spera reported that the Law Enforcement Fund stands at \$40,419.39

6.Old Saybrook Police Fund

Chief Spera reported that the Old Saybrook Police Fund stands at \$245.00

- Commissioner Dunlap asked where he could find more information about how the Police fund operated. Chairman Burnham and Chief Spera replied that the information is in the Police Commission Bylaws.
- Commissioner Finch asked if there had been any expenditure from these funds. Chief Spera replied that there had been no expenditures from the Asset Forfeitures fund and that Traffic Safety Fund had been used to pay for policing the Saybrook Stroll and the Torchlight Parade. Chairman Burnham reported that none of the other funds had any expenditures. Commissioner Finch asked the Chief to keep the Commission informed of any future expenditures and Chief Spera agreed in saying that he always has.

B. Administrative

1.New Vehicle Purchases – Update

- All four new vehicles have been purchased. The Explorer is currently being outfitted and should be ready for deployment in late January/early February. The other three vehicles should arrive in the spring of 2012 and be ready for deployment early in the summer.
- Selectman Fortuna asked which vehicles will be retired. Chief Spera responded that he is withholding judgment until the three new cars are ready for deployment as he wants to make his decision based on the most up to date conditions of the older

2. Review of Special Orders Issued

- Chief Spera reviewed the special order for a one hour call in notice for officers needed in response to the winter storm. This order ended on November 4, 2011.
- Chief Spera confirmed that Director Phil Coco is still working with Old Saybrook Dispatchers on the highest level of dispatching protocols and compliance. Retraining and eventual discipline will be given to any dispatcher who fails to meet the standards in the special order.

3. Contract Negotiations Update –Dispatch Union

- January 25, 2011 is scheduled for the first meeting.

4. Arbitration Award – Police Officer Union

- Retroactive pay – Chief Spera announced that the arbitration panel had recently concluded deliberations and made their awards in regards to salary and medical benefits of the Old Saybrook Police Union members. The provision concerning salary is as follows: The Old Saybrook Police Union was given a 0% raise for the 2010-2011 fiscal year, a 3% raise for the 2011-2012 fiscal year and a 2% raise for the 2012-2013 fiscal year. The provision concerning medical benefits is as follows: Health care contributions changed from a fixed cost of \$40.00 per week to a percentage based system for each officer depending on the officer's respective health plan. Officers with single and couple health coverage saw a reduction in health care rates, while officers with a family plan had their rates go up. The total amount owed in retroactive pay is \$24,960.20 in salary and medical benefits. Chief Spera asked the Police Commission for guidance as to where the retroactive funds should come from in the budget. The Commission advised that the funds should be taken from the unfunded contract settlement line item in the budget for transparency purposes.
- Commissioner Dunlap expressed concern about the contractual arbitration award, other areas where the budget is overrun and that the Chief did not have a deficiency recovery plan. **Commissioner Dunlap made a motion for Chief Spera to begin looking at recovery plans and keep the Commission informed of his progress. Commissioner Finch seconded the motion and expressed that the topic should stay on the table for discussion.** Chairman Burnham and Vice Chairman Metsack expressed that it was too soon to propose cuts and traditionally the Police Commission waits to see what finances are left at the end of the year to deal with any deficits. Commissioner Finch replied that he understood that it might be impossible to recuperate the entire amount that is currently overrun but the commission should try to recuperate as much of the money as possible. He added that he

agreed it was too early to make any specific cuts and that a formal budget proposal was needed before any cuts could accurately be proposed. First Selectman Fortuna suggested that the Police Commission take these overruns to the Board of Finance for guidance on how to deal with the situation prior to making the formal budget proposal. Chief Spera concluded that the financial situation would be clearer once the Dispatcher's Union settled their contract and it would be prudent to wait for a settlement to be reached before any definitive action was taken. Chief Spera also reasserted that overseeing the budget was a daily part of his job and that the highest level of scrutiny is given to any purchase prior to the purchase being made. **Commissioner Dunlap's motion for Chief Spera to begin reviewing recovery plans for the budget was voted down in a 2 in favor, 5 against vote.**

5.Employee Evaluations

- The Chief reported that all members of the Police Department Leadership Team have returned their self evaluations. Chief Spera is currently reviewing their submissions and will eventually discuss the reviews with Lieutenant Roche and the Leadership Team members individually.

6.School Based Policing

- Chief Spera recently met with 26-28 students at Old Saybrook High School to discuss policing and field any questions students might have about police activities. Chief Spera expressed that the program's first meeting was a tremendous success and the Principal and students were very enthusiastic about the program. Chief Spera is optimistic about the group and believes that the students' questions and concerns will yield benefits for the students themselves, as well as the Old Saybrook Police Department and the Chief himself. The students in the program were selected through a sign-up sheet. Others were chosen by the guidance/administrative staff.

7.Patrolman Miller Injury

- Chief Spera updated the Police Commission that Patrolman Miller tore her ACL and is scheduled for surgery in January. Patrolman Miller is optimistic about returning to full duty within 5 to 6 months and is currently undergoing physical therapy to help shorten her recovery time. Under the Police Union Contract settlement, Patrolman Miller will receive her salary for the first three months she is out and the town of Old Saybrook receives a workman's compensation check that can be used to back fill shifts that would have been filled by Patrolman Miller. After the three month period, Patrolman Miller will begin receiving checks directly from the insurance company and her salary can be used to back fill any shifts that would have been assigned to her.

8.Food Collection / Donation to Social Services

- This year was the first, “Give the Cops the Bird” campaign. Time for this event was donated by department members who successfully collected 750 turkeys, over \$4,000.00 in cash and more than 3,250 pounds of dry goods. Of the \$4,000 collected, \$2,000.00 dollars went to the regional and local food pantries and the other \$2,000.00 was given to social services. The CEO of Stop and Shop donated an additional \$2000.00 in gift cards for social services to hand out. Chief Spera expressed his hope for this food drive to become an annual event. In addition, members of the police department collected toys for the annual toy drive. Donations filled an entire 16 foot pod with toys for the second year in a row. The Police Union also donated \$1,000 in bicycles, which were given to Youth and Family Services.

9. Saybrook Stroll Activities

- Chief Spera expressed that his goal for all community events is to portray a positive image for the department within the community and to increase interaction with the residents of Old Saybrook. The Winter Stroll was driven by kid friendly activities funded by the Police Union. Some activities included but were not limited to: pony rides, canine demonstrations, face painting, cotton candy, etc. The Summer Stroll will be more focused towards teenagers and Chief Spera will solicit opinions from Old Saybrook High School students about activities they would be interested in participating in.

10. CPR Instructor Certification

- The department is waiting for instructor materials to come in. This course and all subsequent materials are paid for by grant from WalMart.

VIII. Field Operations - Reports

A. Professional Development Activities

1. Patrolman Small and Robbins

- Both officers successfully completed field training.

2. Patrolman Trainee DeLima

- Patrolman Trainee DeLima is due to graduate the Police Academy at the end of March at which point he will begin the mandatory 400 hours of field training. Once Officer DeLima finishes his field training, the Old Saybrook Police Department will be at full staffing levels.

3. Arrest and Control

- Sergeant Hull and Sergeant DeMarco completed a class to become instructors for Arrest and Control. They will now work on bringing every member of the department up to date on current Arrest and Control techniques such as: handgun retention, handcuffing and baton use.

B. Activity Report

1. October 21, 2011 – December 16, 2011

- There were 3,683 incidents and 384 citations. Chief Spera expressed his pleasure with his staff and how they have handled these incidents. Commissioner Dunlap asked for clarification as to the context for the numbers associated with the Activity Report. Chief Spera replied that once the new CAD system is up and running in the spring, it will be easier to generate a breakdown of the Activity Reports. Commissioner Dunlap was satisfied with this response and said he would wait for the new system to be installed.

IX. Correspondence

The commission reviewed letters from the public. Chief Spera made special note of a citation to Sergeant DePerry from the Madison Police Department for his efforts in assisting them with a bank robbery. He will get the concurrent award for his efforts at the next awards ceremony. Commissioner Dunlap asked if all the letters of correspondence were included from the public. Chief Spera confirmed that all letters regarding department performance were included and that there is no filtering process for citizen comments in regards to police performance unless it is part of an investigation.

X. 2012-2013 Capital & Operating Budget Proposal Discussion

- **Personnel** –The Commission reviewed handouts from Chief Spera on the proposed salary budget for the 2012-2013 fiscal year. Chief Spera reviewed that the 2011-2012 budget was approved at a 0% increase with minimum step raises. On the handout Chief Spera showed each officer's step raise, promotion raise and arbitration awards respectively over the 2011-2012 fiscal year. The handout also included proposed step raises and 2% increases for officers respectively for the 2012-2013 fiscal budget based on recent arbitration awards. Chief Spera clarified how the retroactive step increases worked for this year with anyone going up in step prior to the end of the fiscal year going up now and that going forward everyone will receive their step increase uniformly on July 1. Chief Spera also pointed out that the worksheet provided was in the same format presented to the Board of Finance during last year's budget meeting. The other handout presented is a blank budget showing all the line items to be discussed for the upcoming year and budget amounts for the current fiscal year and the previous fiscal year. Chief Spera took the Commission through the blank budget worksheet and began by discussing the 2012-2013 raises negotiated by the Police Union. The Commission was satisfied that these numbers have already been negotiated and are not subject to change. The support division cannot be accurately discussed until the Dispatcher's Union finishes negotiations.
- **Supplemental Personnel**-This area of the budget shows all town events, vacation time, overtime, professional development, etc. Chief Spera went through the list of Community Events and explained which items were

cancelled and that the remaining items were cut from the Operational Budget and funded from the Traffic Safety Fund. Upon being asked what the Traffic Safety Fund is normally used for, Chief Spera explained that the money can be used for sobriety check points, concentrated traffic enforcement during peak times such as holidays and supplies such as portable alcohol screening devices, bike helmets, cones and barricades. Chief Spera asked for guidance as to whether he should continue to fund community events from the Traffic Safety Fund and take the events out of next year's operational budget. He warned that if community events were cut from the operational budget and paid for out of the Traffic Safety Fund then he won't be able to recommend any cuts that won't compromise department operations if the Board of Finance requires additional cuts. The Commission expressed that they would like to see an overall budget before any decisions are made about making any cuts.

- Chief Spera plans on investigating Overtime costs once Patrolman Trainee DeLima completed field training and the department is at full staffing levels. Chief Spera believes that with a full staff there will be less need for Overtime Hours, bringing the number of Overtime Shifts for the upcoming year down. Chief Spera also pointed out that the budget for additional personnel has not increased with salary for several years thus resulting in less overtime hours available.
- **Fixed Charges**-This number is currently unknown and will not be known until the final budget numbers are calculated. Health care costs will not be negotiated by the time the Chief submits the budget to the Police Commission. Chief Spera and Commissioner Finch agreed that the health care costs should stay in the operational budget to show the true cost of the agency.
- **Expenses and Supplies** – Chief Spera explained each line item and where the money is spent. Most line items will be proposed to stay the same for next year. The Chief is considering taking the Police Explorer program out of the operational budget for the upcoming year. Chairman Burnham expressed that there needs to be as close to a 0% increase as possible.
- **Contractual**- Chief Spera explained each item and how it contributes to the department. The Commission agreed it should be known where the legal costs for dispatcher negotiations will be coming from. Commissioner Dunlap suggested that Chairman Burnham write a letter to First Selectman Fortuna about clarifying who is going to pay for negotiation costs in the hopes that the matter can be resolved without an outside legal opinion. Chairman Burnham agreed to write the letter in an effort to work with the First Selectman on the issue. Chief Spera informed the Commission that there will be no recommendations for any new initiatives or programs that uses tax dollars in the upcoming budget. Chief Spera also expressed his intention to get a draft of the budget to the Commission by the first week of the New Year.

XI. Old Business

A. Legal Opinion Concerning the Authority to Expend Funds

- Chairman Burnham reported that the Police Commission attorney has not completed drafting his opinion. It will be available for the next regular meeting.

B. Discussion and possible action regarding a proposal to amend the Police Commission By-Laws, specifically the authority of the “Executive Committee”

- This item has been tabled and will be added to the Regular Meeting Agenda for February 27, 2011.
- Commissioner Dunlap informed the Police Commission that he had a draft of Vice Chairman Metsack’s proposal and he agreed to send the proposal to Chief Spera who would forward the draft to the other Commissioners.

XII. Police Facility Study/Building Committee

- There is no update from the Building Committee.
- Chief Spera asked for a letter from the Police Commission to find out the First Selectman’s intentions for the new building committee. Chief Spera proposed that the Committee should start exploring buildings in town and examining if any of them are suitable for the new Police Headquarters. He also urged that an architect should also study any proposed locations for long term inhabitation. Chief Spera also suggested that the Building Committee be comprised of the current Police Commissioners on the committee, a member of the Board of Finance and a new member from the Board of Selectman. Chairman Burnham agreed to write this letter.

XIII. Comments from the Chief of Police

- Chairman Burnham forwarded a memo from the First Selectman’s Office to Chief Spera regarding traffic issues. Chief Spera committed to investigating the issues of changing the angle of parking spaces in front of St. John’s and adding additional crosswalks to local state roads.

XIV. Comments and/or Concerns from Commissioners

- Chairman Burnham reminded the Commission that the next meeting would take place on Wednesday, January 11th at 7:00PM.
- Commissioner Dunlap expressed an interest in meeting with the Chief for a briefing on the budget and a more detailed account of the line items included. Chief Spera assured Commissioner Dunlap that the budget presentation will address all aspects of the budget in great detail. Commissioner Dunlap acknowledged the Chief in saying that he looked forward to the presentation.

XV. Adjournment

- **Chairman Burnham made a motion to adjourn. Commissioner Zemienieski seconded the motion. The motion passed unanimously.**

A Special Meeting concerning the 2012-2013 Budget Proposal is scheduled for

Wednesday, January 11, 2012.

The meeting minutes for December 19, 2011 were prepared and respectfully submitted by:

Trent Gerbers
Recording Clerk for the Old Saybrook Police Commission