

**OLD SAYBROOK POLICE COMMISSION**  
**Regular Meeting**  
**February 25, 2013**  
**MINUTES**

A regular meeting of the Old Saybrook Police Commission was held on Monday, February 25, 2013, at the Old Saybrook Middle School.

**Present:** Chairman Burnham, Vice Chairman Metsack, Commissioners Sparaco, Finch and Stuart were also present. Chief Spera and Lieutenant Roche were present from the Department of Police Services.

**I. Call to Order/Pledge of Allegiance**

Chairman Burnham called the meeting to order at 7:00PM and led the Police Commission in the Pledge of Allegiance.

**II. Minutes**

A. January 8, 2013 Special Meeting

**Vice Chairman Metsack made a motion to approve the January 8, 2013, Special Meeting minutes. The motion was seconded by Commissioner Stuart. The motion passed with a vote of 5 in favor and 0 against.**

Chief Spera explained that the January 11, 2013, meeting minutes would be included in the agenda for the following meeting.

B. January 15, 2013 Special Meeting

**Vice Chairman Metsack made a motion to approve the January 15, 2013, Special Meeting minutes. The motion was seconded by Commissioner Stuart. The motion passed with a vote of 5 in favor and 0 against.**

**III. Comments from the Public**

A member of the public thanked the Commission for their service to the town. He continued that the town did not overreact to the Newtown crisis and he was eager to learn about the safety measures Old Saybrook has taken in the schools since that day. He concluded that it was clear that some changes would need to be made and he wanted to make sure that he was present and willing to do whatever he could to help ensure the safety of the community's children.

A member of the public stated that it is troubling to know that the schools use to have full time School Resource Officers but now, after Newtown, there are only two part time School Resource Officers. She added that she did not understand why the Commission was telling Chief Spera that because something was fine 10 years ago that it should be fine today. She continued that the town has grown in the last 10 years and the problems inherent with that growth have also increased, which makes it even more important to support the School Resource Officer program like it was supported in the past.

A member of the public thanked the Police Commission, Chief Spera, The Board of Selectman and the members of the Old Saybrook Police Department for their service to the town. He continued by thanking everyone who had signed the petition to maintain three full time School Resource Officers and promoted the Facebook Page, Return the SRO's to all Old Saybrook Public Schools.

A member of the public stated that he understand that the community was not going to get full time School Resource Officers this year but he urged the Commission to allow Lieutenant McDonald to be hired back as a part time School Resource Officer.

A member of the public expressed her concerns about state budget cuts with regards to Mental Health care in Connecticut. She claimed that these cuts lead to the release of several potentially dangerous individuals

into local communities. With the potential for danger increasing with the release of these mental health patients, it is imperative to provide additional protection to the children of the community. She concluded that Old Saybrook was better than the personal agendas preventing the solution to this problem and that all public officials should work together to give the town what it wants.

#### IV. Executive Reports

##### A. Financial

##### 1. 12-13 Operating/Contractual Budgets

Chief Spera stated that the only line item overspent thus far was gasoline. However, he reminded the Commission that the Department had participated in a pre-buy in July and that there were still over 7,000 gallons left as part of that pre-buy. Additionally, Chief Spera noted that we are 67.3% through this fiscal year and the Department has expended approximately 65% of the annual budget.

##### 2. Asset Forfeiture

**Account Balance: \$22,158.68**

##### 3. Capital Sinking Fund

**Account Balance: \$35,260.82**

##### 4. Driver's Safety Fund

**Account Balance: \$22,215.73**

##### 5. Law Enforcement Fund

**Account Balance: \$44,048.75**

Vice Chairman Metsack stated that the Committee is in the process of acclimating the new Union President to the Committee goals and what has been accomplished so far. At the next meeting the group will get into specific financials.

##### 6. Old Saybrook Police Fund

**Account Balance: \$320.00**

##### 7. Police Explorer Fund

**Account Balance: \$4,770.27**

##### 8. Police K-9 Fund

**Account Balance: \$4,913.00**

##### 9. 13-14 Budget Status

Chief Spera stated that the current budget is with the Board of Selectman and any changes made by the Commission would be forwarded to the Board of Selectman prior to their meeting on Wednesday, January 27. At this meeting the entire municipal budget will be finalized and forwarded to the Board of Finance by March 1, 2013.

##### B. Administrative

##### 1. Contract Negotiations Update – Dispatch Union

Chief Spera stated that contract negotiations for the Dispatch Union will continue in March. Chief Spera continued that he is eager for the Union to come to an agreement so that the new deal can be finalized and put into practice.

## 2. Employee Discipline

Chief Spera informed the Commission that two officers had recently been disciplined for violating professional standards and the Department code of conduct. Both officers have forfeited personal leave time as the disciplinary action.

## 3. Activity Report

Chief Spera stated that there had recently been significant activity that was requiring countless hours of investigation by several members of the Department. He added that the Department is still holding the house as a crime scene but the Department is no longer deployed at two separate hospitals.

Chairman Burnham asked if officers were still deployed at the hospital.

Chief Spera responded that there are still officers deployed at the crime scene but not at the hospital. Chief Spera commended the performance of the officers of the midnight shift and stated that their actions directly resulted in saving two lives.

Commissioner Finch asked about the condition of the officers who were injured during the incident.

Chief Spera replied that all three public safety members who were injured have been treated and released.

## 4. Traffic Planning

Chief Spera informed the Commission that he has been involved in many talks with the Department of Transportation with regards to a section of road that has been requested to become a one way traffic area. Chief Spera denied this request for public safety issues.

Chief Spera also informed the Commission that with the coming of the complex containing Kohls, Big Y and Panera Bread, the town is about to experience a significant increase in the local service population.

Chairman Burnham asked if the town's traffic plans were going to change.

Chief Spera replied that they will not have to change much. He continued that he has already commented on the need for pedestrian walkways and increased traffic signals and that he expects these additions will be accommodated.

## V. **Discuss and Act on the Chief's February 7, 2013 Proposal to Authorize the Chief to hire Lieutenant Tim McDonald, Ret. As a part time per diem police officer. *The intent is to assign him as a School Resource Officer, to assist the other two School Resource Officers for the remainder of the 2012-2013 Academic Year.***

Chairman Burnham asked if the Chief could briefly summarize the measures that have been taken in the schools since the Newtown incident.

Chief Spera started by saying that school safety is a high priority for the Department and for the town. As such, the schools have developed lockdown and campus evacuation procedures. There are also buzzer systems and limited camera surveillance on campus. Chief Spera continued that he received a call from Lieutenant McDonald asking for his pistol permit so he could help a community looking to improve school safety. This call led to the idea of hiring Lieutenant McDonald as a part time per diem officer, assigned as a School Resource Officer during the school year. Based on the Lieutenant's retirement date it would take very little to recertify the Lieutenant. Once hired, he would begin School Resource Officer certification and enter the schools upon completion of this certification.

Chairman Burnham asked Chief Spera how the School Resource Officer program has functioned since Newtown.

Chief Spera stated that the School Board requested that School Resource Officers return to the schools full time until February Vacation. As such, certain functions in the Department have ceased and those resources have been reallocated to the schools. Prior to Newtown, Patrolman Kiako and Patrolman Walsh spent half of their time in the schools and half of their time on active duty.

Commissioner Sparaco stated that it was his belief that the Chief did not have to come to the Commission to hire officers on a per diem basis.

**Commissioner Sparaco made a motion to hire Lieutenant McDonald on a part time per diem basis with the intent of assigning him as a School Resource Officer for the remainder of the 2012-2013 Academic Year. The motion was seconded by Vice Chairman Metsack. The motion passed with a vote of 4 in favor and 1 against with Commission Stuart dissenting.**

Commissioner Stuart stated that he had recently met with State's Attorney McShane and that the State's Attorney assured him that an investigation takes as much time as it always has and that he did not require any additional work from the Department outside of major investigations. Commissioner Stuart added that after reviewing the work schedules from September and November of 2012, he found that the School Resource Officers had alternating days off during the school weeks and if this was switched it would be possible for the Chief to keep the School Resource Officers in the school full time without any additional resources. Additionally, Commissioner Stuart stated that the Commission had recently authorized the IT position to be replaced by a civilian, meaning that this officer can also be used in the schools as a full time School Resource Officer. Commissioner Stuart asked the Commission to direct Chief Spera to assign three officers to the schools full time using already existing resources.

Chairman Burnham replied that she feels Commissioner Stuart misunderstood the budget discussion with regards to the IT position. She stated that currently the IT officer is working for the Police Department and for the Town and when he's working for the town that position is being backfilled. Additionally, Chairman Burnham stated that the Commission participated in several workshops from the Department that all carried the same message, which is that there is not enough time to be performing all the tasks that should be performed. She concluded that the Activity Report shows that Old Saybrook is no different than any other community in the country, with the same problems.

Commissioner Stuart replied that he does not believe he misunderstood the IT issue and that if the Commission directs the Chief to put three officers in the schools full time, he will find a way to do it.

Chief Spera responded that State's Attorney McShane has made ground breaking changes with regards to preparing cases for trial. For example, anything captured on video or audio tape must be watched and burned to a CD to go with the case. Establishing probable cause is one thing but creating a case that leads to a conviction is very difficult and requires ample resources. Chief Spera continued by saying that the scheduling issue referenced by Commission Stuart is actually a contractual issue that states how members of the Department can be scheduled while on Special Assignment. The reason why that schedule has been able to change recently is because the Chief asked the involved officers for permission to change their schedules to allow the SRO's to be in the schools Monday through Friday. Finally, Chief Spera stated that he respects every member of the Police Commission but feels he is not getting the respect back that he deserves. He continued by saying that it is his responsibility to direct the Department and assign personnel where it is needed. Chief Spera concluded that his number one priority has been and will always be response to emergency calls for service but the people of the town have demanded the return of full time School Resource Officers and it is his responsibility to bring that demand to the only Commission in town that can make this happen.

Commissioner Finch asked if there would be any union issues with hiring Lieutenant McDonald back to the Department.

Chief Spera responded that the bargaining union does not currently represent part time per diem officers, which means there would be no issue with hiring the Lieutenant back to the Department. However the Chief stated that he does not speak for the union.

Commissioner Finch asked what the total cost of hiring Lieutenant McDonald would be from now until the end of the school year.

Chief Spera responded that if the Lieutenant were to start in the schools tomorrow it would cost \$13,791.89 until the end of the school year. He would be paid \$26.99 an hour, which is Step 3 Patrolman pay. As a part time employee he will not be earning a pension or be eligible for vacation or personal time off.

Commissioner Finch asked if the Lieutenant still had uniforms and weapons.

Chief Spera responded that his uniforms and weapons are still in the Department storage closet.

Commissioner Finch asked if the part time per diem officers would be assigned a police cruiser when they were at the schools.

Chief Spera responded that there is always a Department vehicle at the school but it is not always a cruiser. Chief Spera also stated that he is not planning on purchasing Lieutenant McDonald his own car.

Commissioner Finch how this part time position would be paid for and if there was a line item in the current budget that could fund this position.

Chief Spera responded that the Department did receive some personnel savings from Sergeant Mercer's retirement. Chief Spera noted, however, that the personnel budget is fluid and that he will try to make it work as best as possible.

Commissioner Finch asked if Lieutenant McDonald would be used exclusively in the schools or if he would perform other duties as well.

Chief Spera responded that it is his intent to full staff the schools as best as possible for the remainder of the school year. However, if a School Resource Officer calls out sick, they will not be able to back fill the position. Additionally, if a major crime occurs and additional resources are needed, Lieutenant McDonald can be called in to assist the Department.

**VI. Discuss and Act on the Chief's February 7, 2013 proposal to amend the 2013-2014 Operating Budget Request previously submitted to the Board of Selectman to include the addition of \$69,904.10 to fund Part Time/Per Diem Police Officers. *The intent is to hire additional part time per diem police officers to serve as School Resource Officers during the 2013-2014 Academic Year.***

Chief Spera stated that his proposal is an elaboration of the plan that was just approved. The proposed addition of funds would continue to support Lieutenant McDonald in his new position but also hire additional part time per diem School Resource Officers. The goal is to have a group of available part time School Resource Officers available to the Department. Chief Spera concluded that the Department is specifically looking for retired officers that we can easily recertify and get them trained as School Resource Officers.

**Vice Chairman Metsack made a motion to approve Chief Spera's proposal of adding \$69,904.10 to the approved budget with the intent of hiring additional part time per diem police officers to serve as School Resource Officers for the 2013-2014 Academic Year. The motion was seconded by Chairman Burnham. The motion passed with a vote of 3 in favor, 1 against and 1 abstention with Commissioner Stuart dissenting.**

Chairman Burnham asked if the Chief had a sense if the people he was looking for were actually out there and if the Commission could begin looking for candidates now.

Chief Spera responded that he didn't know if the right people were out there to fill the positions but that he was intent on looking for them. Chief Spera added that he is not just looking for anyone but that he is looking for the right person to join the Department. Chief Spera also stated that the Commission can begin looking for people now because part time per diem employees can be hired at any time. These candidates, however, must go through the same hiring process as any other employee with background checks, interviews and a final interview with the Police Commission.

Chairman Burnham asked if the Chief could speak to any additional costs for these officers.

Chief Spera responded that FICA costs would be just over \$4,000, with no fringe benefit costs. These employees would be eligible for paid sick time off after 800 hours for their career.

Chairman Burnham asked what the cost would be to supply these part time officers with uniforms, weapons, etc.

Chief Spera responded that the Department already had the necessary weapons but the uniforms would cost approximately \$1,500 per officer. Chief Spera added that there were some off budget funds available to put towards this cost.

Commissioner Stuart asked how many officers the Chief was looking for.

Chief Spera responded that ideally there would be two officers, however, labor council feels it would be easier for the bargaining unit to represent these part time officers if there was a larger pool.

Commissioner Stuart asked if this is the kind of School Resource program we want in our schools.

Chief Spera responded with all due respect that his initial proposal was for three full time positions but the Commission voted against that proposal.

Chairman Burnham added that the program has had several officers in one school during the school year in the recent past.

Chief Spera also noted that by approving this proposal, the Commission is simply passing the idea on to the Board of Selectmen.

Commissioner Finch asked if the Chief had looked at places to cut the budget to compensate for the additional \$70,000.

Chief Spera responded that he anticipated those discussions will occur with the Board of Selectman and/or the Board of Finance.

Chairman Burnham added that it is not the Police Commission's job to determine what the town can afford. It is the Police Commission's job to report what is needed for the Police Department.

Commissioner Stuart asked if these part time officers would be available to work road jobs.

Chief Spera responded if the part time officers want to work road jobs in the summer, they would be eligible to do so and it would likely be a cost savings to the Department to have them work a road shift as opposed to an officer at a higher pay step.

Commissioner Stuart expressed concern that the Commission had already voted not to add additional officers to the staff but this proposal was doing just that with part time employees rather than full time employees.

Chairman Burnham replied that the Commission is simply making it possible for the Department to utilize more resources but not creating full time positions. She continued that the Department already has part time officers and they are simply trying to expand the pool.

## **VII. Correspondence**

There was no correspondence.

## **VIII. Comments from the Public**

A member of the public stated that he was informed by the First Selectman that if the Police Commission approved the Chief's proposal that it would pass through the Board of Selectmen as well.

A member of public stated that her children have noticed that the officers are not at the schools anymore and she hopes that the Commission will continue to support the School Resource Officer program.

A member of the public stated that he is glad that the Commission voted to support the School Resource Officers and that he hopes the Commission will continue to support the program.

A member of the public thanked the Commission for their decision and support.

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**IX. Comments from the Chief of Police**

Chief Spera thanked the Commission for discussing and approving his proposals with regards to the School Resource Officer program. The Chief also commented that he is concerned about the present relationship between himself and the Police Commission. He commended the Commission and the job they do to protect the citizens of Old Saybrook but Chief Spera reminded them that they also have a responsibility to the men and women of the Police Department. With that in mind he stated that he hopes to build a positive working relationship with the Commission going forward. Chief Spera concluded that he hopes the Commission will remember the messages delivered in the workshops and continue to ensure the safety of Department personnel.

**X. Comments and/or Concerns from Commissioners**

Commissioner Stuart stated that he is concerned that the Chief had been working overtime shifts for the DUI Grant at a cost of \$3795.00 for one month, earning almost three times more than what a Patrolman would get for the same shift. Commissioner Stuart concluded that using a Patrolman to fill those shifts would be a more efficient way to use the money from the DUI Grant.

Chief Spera stated that it was obvious that Commissioner Stuart has a personal issue with him and that this issue comes out during every Police Commission meeting. Chief Spera continued that the only way he can collect overtime is if every member of the bargaining unit passes on the shift, which means if he did not take the shift himself it would go unfulfilled. He reminded the Commission that his contract is specific as to when he is able to earn overtime.

Commissioner Stuart replied that he takes great exception to the Chief implying that there was a personal issue between them. He added that it is his responsibility as a Police Commissioner to ask questions and voice concerns. Commissioner Stuart concluded that the Chief had the contractual right to collect the money but it would be wiser not to spend that money now so that it can be saved if needed in the future.

Chief Spera responded that this conclusion was incorrect because there are only specific days when the DUI Grant money can be used and if it is not used at that time, the money cannot be carried over or reallocated without prior approval from the State.

Commissioner Stuart commented that during the recent blizzard there was an accident on the Chief's property involving a town vehicle. Commissioner Stuart asked the Commission to request the accident report from the Chief so that the accident could be reviewed.

Chief Spera asked that Commissioner Stuart use caution and perform a higher level of due diligence when looking into accidents on his personal property. Chief Spera explained that driveways of many public safety officials were plowed during the blizzard. He reminded the Commission that not only is he a volunteer fire fighter and Police Chief but that he is also the Emergency Management Director, and the designated Incident Commander for the Blizzard. The Chief also pointed out that both the State and Town were in declared states of emergency. There was more than enough reason to get assistance with being able to drive his assigned town vehicle from his home. The Chief confirmed that the effort to plow the Chief's driveway caused some damage to a town vehicle. Chief Spera concluded that it is not in Commissioner Stuart's authority to demand a police report, investigate a private property accident and that he, nor does the Police Commission oversee plowing for the town. The Commission only has oversight over fiscal and personnel matters related to the Police Department.

Commissioner Stuart replied that he is only asking to see the Police Report.

Chief Spera told Commissioner Stuart to file an FOI Request to view the report.

Chairman Burnham ruled that it is not appropriate for the Police Commission to ask for the Police Report.

**XI. Adjournment**

**Commissioner Finch made a motion to adjourn. The motion was seconded by Chairman Burnham. The motion to adjourn the meeting passed with a vote of 5 in favor and 0 against.**

*The next regular Police Commission meeting is scheduled for March 25, 2013 at 7:00 p.m.  
in the First Floor Conference Room, Old Saybrook Town Hall.*

The meeting minutes for February 25, 2013 were prepared and respectfully submitted by:

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Trent Gerbers  
Records Clerk for the Old Saybrook Police Commission