

OLD SAYBROOK POLICE COMMISSION

Regular Meeting

April 27, 2015

MINUTES

A regular meeting of the Old Saybrook Police Commission was held on Monday, April 27, 2015 at the Old Saybrook Town Hall.

Present: Chairman Finch, Vice Chairman Savino, Commissioners Burnham, Maselli, Sparaco and Dunlap. Chief Spera and Lieutenant Roche were present from the Department of Police Services.

I. Call to Order/Pledge of Allegiance

Chairman Finch called the meeting to order at 7:00 PM and led those in attendance in the Pledge of Allegiance

II. Minutes

The Commission review the minutes and Commission Dunlap stated that on page 7 of the March 23, 2015 minutes he did not state that the Traffic Safety Fund was at its peak but he questioned if it was.

Vice Chairman Savino wanted to clarify his comments on page 5 of the March 23, 2015 minutes. He does care about Emergency Management but stated that it is the Board of Selectman's decision on to where to store the supplies and how to pay for the storage since they own the equipment not the Police Commission.

Commissioner Maselli made a motion to approve the March 23, 2015 Regular Meeting Minutes with corrections. The motion was seconded by Commissioner Burnham. The motion to approve the March 23, 2015 Regular Meeting Minutes passed with a vote of 6 in favor and 0 against.

III. Comments from the Public

Paul Carmichael stood up and thanked the Police Department and the Police Commission for all the hard work they do. He stated that the School Resource Officers are working out great. The parents are happy, the kids are happy and the administrators are happy. He thanked the Board of Finance, Board of Selectman and the Police Commission for supporting the School Resource Officers and stated that he is constantly hearing positive feedback from parents and kids regarding the officers.

Kevin Shay stood up and stated that he fully supports the Chief of Police and the Police Department. He feels that a reasonable budget was proposed by the Police Commission to the Board of Selectman and the Board of Finance. Public Safety is fundamental he stated. He added budget cuts impact the ability to fulfill the mission of protecting us and our children. He's very impressed with the School Resource Officer program and he asked people to put aside their personal differences to concentrate on protecting the community.

IV. Executive Reports

A. Financial

1. 14-15 Operating Budget

Chief Spera reviewed the Expenses & Supplies Account Summary that was included in the Commission Information Packet. He stated that a couple of the line items were over budget. He detailed the heat line item and stated that the Police Department is currently paying an oil bill for 6 Custom Drive and a natural gas bill for 36 Lynde Street. Paying heating expenses for both buildings was not planned and he again reiterated that the Department has been paying the two bills out of the Heating Oil account per direction from the Finance Director and First Selectman's Office. He moved on to the Misc. Small Equipment line item and reminded the Commission that line item is over budget along with the Canine line item. The Canine line item is over budget due to unanticipated medical bills for one of the canines.

Chairman Finch questioned how old the canines are.

The Chief was not sure of their exact ages but believed they are three years apart with Zeus being seven or eight.

Chairman Finch questioned the longevity of the older canine.

Chief Spera stated that there is no specific age of retirement for a police canine. The older canine is in solid health and he foresees him lasting at least another two years.

2. 15-16 Budget Process

Chief Spera stated that Board of Finance's final reductions took place. He stated that the Police Department suffered an additional \$45,000 reduction. He stated that a motion was first made to reduce the Police Department budget by \$75,000. The Chairman of the Board of Finance questioned the member making the motion regarding how he came up with \$75,000. The member who made the motion was unable to come up with a response. The member then withdrew his motion to reduce the Police Department budget by \$75,000 and proposed a new motion to reduce the Police Department budget by \$58,000. The Board of Finance member stated that to reach this reduction he was taking \$10,000 out of the gas line item to which First Selectman Fortuna stated that he already reduced the gas line item by \$10,000 and come July 1st the Police Department would owe \$75,000 whether the Board of Finance reduced it by another \$10,000 or not. The Board of Finance member again withdrew his motion to reduce the budget by \$58,000. Finally a motion was made to reduce the Police Department budget by \$45,000. Chief Spera stated that he was very disappointed with the reduction. He feels that a respectful budget was put together by himself, the Police Commission and the Board of Selectman. The numbers we put forward were justified he said. We are the only Department that develops and hands out budget booklets outlining all of the known liabilities. The budget put forward is not the Police Department's wants but the Department's needs.

Chief Spera stated that moving forward no more adjustments can be made to the budget. The budget will now go to referendum and the tax payers will vote on it.

Chairman Finch questioned if the budget can be amended on the floor?

Chief Spera stated that no he doesn't believe it can be amended on the floor at the town meeting at this point.

Chief Spera stated that now is the time to determine where the \$45,000 reduction is going to come from. A vacant patrolman slot has opened up he said. As he stated during the Board of Finance meeting, a reduction of \$45,000 would most likely impact personnel. The true liabilities are not property funded now he said and by reducing the budget even more it makes it very difficult.

Chief Spera stated the he plans on holding off replacing Anthony Cerra until January which will result in a substantial savings for the department. He also stated that he has spoken with the Superintendent of Schools regarding the Community Service Officers who currently handle school traffic. He is working with Mrs. Perruccio on the possibility of billing partially out for traffic services. He also stated that moving forward unfortunately the Police Department might not be able to help the community out as much as they would like to and have in the past by working civic events or fundraising without billing. He stated that on future community events such as the Seaside Shuffle, The Torch Light Parade and the Art Show the Department might start having to bill out for the Police services they provide.

Commissioner Dunlap asked if the Police Department proposes a Police Personnel cost associated with applying for permits for these types of events.

Chief Spera stated yes they do but in the past the Police Department has been able and willing to partner with the event leaders and absorb the costs.

Commissioner Dunlap questioned if the permit is granted based upon police presence.

Chief Spera responded that yes there must be a police presence in order to allow these types of events.

Commissioner Maselli stated that as one of the co-founders of the Seaside Shuffle he knows first-hand how successful these events are due to the generosity of the Police Department.

Chief Spera stated that 88% of the Police Department budget is due to contractual obligations. These have to be funded he stated. It's very hard to find line items to reduce when the Board of Finance is already not properly funding the line items that are year after year over budget he said. We will continue to run at a deficit he stated until known liabilities are funded.

Commissioner Maselli asked Chief Spera how the Board of Finance came up with a reduction of \$45,000.

Chief Spera responded that honestly he had no idea. The \$45,000 was the third motion made regarding reductions he said. One Board of Finance member stated that \$25,000 could be reduced easily and they decided to add an additional \$20,000 to that, Chief stated. The Police Department budget is transparent stated the Chief. We do the best we can with what we are given. He's not sure where the Board of Finance thought the Police Commission would find the additional \$20,000.

Chairman Finch stated that his reaction when Chief Spera called him to tell him that the Board of Finance reduced the budget by \$45,000 was where are we going to get this money from? He stated that he initially thought we might have to lose a School Resource Officer and that the Department will not be able to fund community activities anymore. He stated that charging the community for Police Services begins a slippery slope. He said that due to the unexpected patrolman vacancy no drastic cuts have to be made. He also stated that his primary concern is the 911 calls for the public. Everything else is secondary he said.

Chief Spera stated that with the patrolman vacancy there will be a deficit with not filling the 25th spot. He stated that he is concerned regarding how the Board of Finance places the Police Department under unreasonable scrutiny. The Board of Finance workshop with the Police Department was over two and a half hours long which was substantially longer than any other department's workshop. We are the only department that details our budget he said. He also stated that he is very disappointed regarding the fact that neither of the two Board of Finance liaisons reached out to him at all during the budget process. We will always be the largest budget he stated. We are a service agency that needs people to deliver the services.

The Chief said that many residents stood up and spoke in favor of the Police Department at the Board of Finance meeting. The budget put forward was the Department of Police Services Budget not the Chief's. One of the Board of Finance members stated that she would like to reduce the \$10,000 in the legal line item because the Chief threatened to use it against them in the past. The Chief felt the meeting was filled with unnecessary politics and personal agendas he said.

Vice Chairman Savino stated that he feels the School Resource Officers are vital to the day to day operations and that should a cut be needed we would have to look elsewhere he said. He stated that the Board of Finance reduced other Departments too. The Board of Education was reduced by \$50,000, Youth and Family Services by \$1,600 and so on.

Chief Spera agreed that there were other Departments that received cuts but he highlighted the fact cuts were made to the Police Department, Marine Patrol and Emergency Management.

Chief Spera stated that if tax payers are unhappy with the budget they will vote it down. He hopes it will pass though. He said he has no intention of cutting a School Resource Officer however. The Board of Selectman put forward a good budget he said. It was one of the lowest in years with a minimal increase.

Chairman Finch stated that when a budget is turned down it's assumed that the budget put forward was too high and more cuts occur.

Vice Chairman Savino agreed that when a budget is turned down there is no way to state why it was denied. If tax payers are not happy with the budget put forward please get involved he said. Stay active if you are already involved, attend meetings and speak up he suggested.

3. Asset Forfeiture
Balance: \$20,427.88

4. Police Administrative Fund
Balance: \$30,349.93

Chief Spera reminded the Commission that the money for the AFIS machine purchase will come out of this account and once the JAG grant money is returned to the Police Department it will be deposited back into the Police Administrative Fund. Chief Spera has spoken to the Town Treasurer regarding the withdraw and deposit of funds and he has approved this.

5. Traffic Safety Fund
Balance: \$35,474.51

6. Law Enforcement Fund
Balance: \$17,207.53
7. Old Saybrook Police Fund
Balance: \$320.00
8. Police Explorer Fund
Balance: \$5,185.85
9. Police K-9 Fund
Balance: \$2,176.41

Commissioner Dunlap asked why the Police K-9 Fund isn't used for medical expenses.

Chief Spera stated that the monies in the fund can be used for medical expenses but a specific donation was made by an individual to help with food expenses and Chief wants to respect his wishes.

B. Administrative

1. Personnel Report

Chief Spera stated that Patrolman Trainee Anthony Cerra has resigned. He graduated from the academy 5 weeks ago and has decided that law enforcement is not the right career choice for him. Chief Spera then passed around to each Commissioner a copy of Cerra's resignation letter and exit interview. Chief Spera stated that every step was taken to try to retain him as an officer. This just was not the correct career path for him.

Chairman Finch stated that this had nothing to do with the Old Saybrook Police Department and that Cerra does not want to be a Police Officer anywhere.

Chief Spera said that the New London Day recently published an article stating how small and weak the new officer hiring pool is. We are not seeing anything different in Old Saybrook he said. Nationwide police departments are struggling to find proper candidates.

Vice Chairman Savino questioned what the requirements were regarding Cerra trying to go work for another Police Department.

Lieutenant Roche stated that Cerra is not a certified Police Officer until he finishes field training. He would have to finish field training within one year from when he started the academy and seven months has already passed since he started the academy. Another department could hire him and complete his field training but the window is closing fast he stated.

Commissioner Maselli stated that he would like to give kudos to the Lieutenant and to the leadership team for the rave reviews they received on the exit interview from Cerra.

Chairman Finch stated that it's unfortunate that money was spent training Cerra but that it's best to find out now and not in an emergency situation that law enforcement was not the proper path for him.

Chief Spera stated that there has been an official request for a change in duty status from Sergeant Larry Smith. Currently he is a Patrol Sergeant and he has officially requested to be moved back to Top Step Patrolman. Since this is a rank change the Police Commission has to approve this change he stated.

Commissioner Dunlap asked about the timing of this request and the back fill requirements now needed.

Chief Spera stated that Officer Smith is no longer supervising shifts and that it has resulted in Sergeant overtime costs.

Commissioner Dunlap asked if there was any interest from other officers in filling the open Sergeant position.

Chief Spera stated that there is currently a sergeant process and he is hoping to have two candidates by the end of June or early July.

Commissioner Dunlap questioned if Officer Smith would be willing to stay on as Sergeant until the open position is closer to being filled.

Chief Spera stated that Sgt. Smith is no longer permitted to supervise shifts and he feels this is the best move for him.

Commissioner Maselli made a motion to accept the change of rank request from Officer Larry Smith. Chairman Finch seconded. The motion to accept the change of rank request was passed with a vote of 6 in favor and 0 against.

Commissioner Maselli asked if a motion to accept the letter of resignation from Anthony Cerra was needed.

Chief Spera stated that he doesn't believe so since Cerra was a trainee and not a certified officer.

Commissioner Maselli respectfully asked the Chairman what he would like to do.

Chairman Finch stated that he doesn't believe a motion needs to be made but should that change they can pass one in the future.

Chief Spera advised the Commission that he just received word that Detective Sergeant Heiney will be out for an additional month. This injury was work related he stated. Lieutenant Roche has been assigned to oversee the Criminal Investigation Unit. He will also be looking into overtime shifts, on call shifts, paperwork, warrant processing timeliness, evidence flow and so on to make sure everything is being properly and efficiently handled and supervised.

Vice Chairman Savino asked if there were any specific cases that Detective Sergeant Heiney was working on.

Chief Spera stated that no, he was more in a supervisory role which Lieutenant Roche will take over.

Vice Chairman Savino asked if Detective Sergeant Heiney will be returning his car while he is out.

Chief Spera stated that yes his car will be returned.

2. New Facility Transition

Chief Spera stated that the Police Department has officially moved into the new building. Everyone is thrilled he said. As he stated to Department members during the ribbon cutting this building is a testament to the community support for the Police Department. The Department has moved from the original setting in the Town Hall Basement to 225 Main Street to a warehouse converted into a Police Department at 6 Custom Drive to a state of the art facility at 36 Lynde Street. This new facility offers officer safety elements that officers have never had before.

There is still a punch list he stated but overall everyone is thrilled and humbled by the facility the citizens have provided us. Chief Spera stated that he will be staying on top of the construction company to make sure that the tax payers get exactly what was promised to them and what they paid for.

Chief Spera stated that he wanted to go on the record thanking each and every Department member for “stepping up” regarding the move. The Chief stated that we have the most dedicated team of employees who pitch in to help no matter what the task.

Chairman Finch stated that he observed all members of the Department putting in effort to help with the move. This was not at the cost of the tax payers he said. Many of them came in early, stayed after and worked on their days off to help. What a wonderful job done by all he said.

Chief Spera stated that the Department is still moving out of 6 Custom Drive. About 98% is emptied and cleaned. On May 1st the keys will be handed back to the landlords and the Police Department will be entirely moved out.

V. Discussion concerning “cost reduction ideas”.

Commission Dunlap stated that this agenda item was added as a request from him. He is not proposing this for the 14-15 or 15-16 budget but for future budgets he said. He feels that the Commission has to explore options should they have to look to reduce again in the future. What is the priority list he questioned? What can the Commission put on the reduction block should they have to cut in the future and there isn't a patrolman resignation he asked. 88% of the budget is bound to personnel and there is no room there to reduce so the Commission has to come up with other avenues he stated.

Chairman Finch stated that he is all for showing a more efficient, better way to run the budget. I'm not opposed to that he stated but a sub-committee would have to be formed else we would be here all night he said. I will go to First Selectman Fortuna first to make sure we have the funding before anyone spends anytime on something like this he said.

Commissioner Dunlap asked Chairman Finch what funding he was talking about.

Commissioner Burnham stated that Chairman Finch was probably talking about the management study that Secretary Stewart brought up at last month's meeting.

Chairman Finch agreed with Commissioner Burnham's statement and stated that if there is no funding there is no use in doing anything.

Commissioner Maselli stated that his concern is if the Commission develops a list of what we can possibly cut people will see it as what can be cut. The Police Budget is detailed to show the known fiscal liabilities already he said.

Commissioner Burnham agreed with Commissioner Maselli's statement and said that the budget process is our list of what we need and not what we don't need. Any list like Commissioner Dunlap is suggesting will be perceived as what is not needed she said.

Commissioner Dunlap stated that he has a rebuttal for the statements that Commissioner Maselli and Burnham made. We need to prove that if we take out X, the community suffers Y he stated.

Chairman Finch suggested to revisit once we have a solid budget number.

Commissioner Dunlap stated that he would like to get ahead of that.

Vice Chairman Savino stated that this is what they do here on the Police Commission. The Chief's Budget is presented to the Commission. The Commission determines what is needed and what isn't needed and from there the budget goes to the Board of Selectman's Office. The First Selectman has the biggest pulse on what the residents of Old Saybrook need and want, he stated. He was baffled that the Board of Finance didn't approve the Board of Selectman's Budget. First Selectman Fortuna works for everyone unlike each board and board member who have their own agendas Vice Chairman Savino said.

Commissioner Burnham stated that as Police Commissioners they have taken workshops regarding the budget process and she stated that reality is people don't hear the IF. They hear the first thing stated which would be to cut she said.

Vice Chairman Savino asked if the Police Commission is doing something that they can live without right now. If Chief does something wrong the Commission would know he said. The Police Department has a good record, this is a safe town he said. He stated he would be unable to make a list of what he would cut. There hasn't been one budget that the town hasn't voted to pass he said.

Commissioner Dunlap asked what the role as a Police Commissioner is.

Chairman Finch stated the Police Commission goes through every line item, and then the Commissioners ask the Chief questions.

Vice Chairman Savino stated as an example that the Police Department has had 25 officers for the past 5-6 years. Every year the budget has passed, residents are not voting it down he said.

Commissioner Dunlap asked if there is only one way for the budgets to go.

Commissioner Burnham stated that Commissioner Dunlap's suggestion has the same dangers that Secretary Stuart's management study request brought up. Everything will be public and could negativity affect the town during collective bargaining or add new liabilities.

Commissioner Dunlap stated if Vice Chairman Savino is correct what is the point of having a Police Commission.

Commissioner Maselli stated that a list like this would change the Police Commission's plan. A transparent budget is presented to the First Selectman and Board of Finance he said. There is no benefit to a list like this since the Commission presents such a detailed budget with all of the Police Departments known liabilities. The budget booklet details needs not wants he said.

Vice Chairman Savino stated that the majority of the budget is contractual. The Commission cannot touch any contractual line items he said. Take those contractual items away and it doesn't leave much left to play with he stated.

Commissioner Dunlap made a motion to form a sub-committee to discuss future cost reductions. The motion was not seconded, thus no vote was taken.

VI. Comments From the Public

Fern Tryon stood up and stated that she is happy that the Police Department is back in the center of town and asked when the residents can come and tour the new facility. She also stated that the Police Commission minutes on the town's website are very far behind. No minutes for 2015 have been posted she said.

Chief Spera stated that he personally has posted the 2015 minutes and will follow up with that to see what happened to them.

An anonymous male stood up and thanked the Police Commission. He has spent a lot of time at these meetings so far this year he stated. He appreciates the positive comments. He has two children, one in the middle school and one in the elementary school and the School Resource Officers are a positive influence on the kids not just the adults. He told the story of a student finding an injured duck in the school yard and how she alerted Lieutenant McDonald and how he told them he would call Animal Control to fix it and he suggested they get bread to try to feed it. He was also at the Board of Finance meeting and he stated that he found the meeting comical and discouraging. Old Saybrook has one of the lowest tax rates around and the highest level of service he said. He appreciates the time the Police Department and Police Commission put in.

Brad Thorpe asked to be notified of meetings and cancellations.

Commissioner Dunlap stated that the Commissioners do get packets from the Police Department which lets them know there is a meeting.

Chief Spera asked Mr. Thorpe if he has signed up for the virtual town hall server which sends out notifications.

Fern Tryon stated that virtual town sends agendas ahead of time and cancellation notices too for whatever Board of Commissions you sign up for. She said it was easy to do.

VII. Comments from the Chief of Police

Chief Spera stated Sergeant DeMarco has been working tirelessly on the range accident that Sergeant Bergantino was involved in but thankfully not hurt. Sergeant DeMarco worked with Winchester and they sent reimbursement checks to purchase a new AR-15. The money will be deposited into the Police Administrative account and a new patrol rifle will be purchased. Chief Spera wanted to publically thank Sergeant DeMarco for all his hard work. He also had all the rifle ammunition for the Department replaced at no charge.

Chief Spera also spoke about the DARE kit car. The car is not coming to 36 Lynde Street he said. It has been posted on Craigslist to be sold to the highest bidder. The car is owned by the DARE program and the money will go into the DARE fund. The DARE fund pays for all supplies associated with the DARE program. The car was appraised to be worth about \$2,500 and that is what the starting bid is he stated.

Vice Chairman Savino asked what kind of car is the DARE kit car.

Chief Spera responded a T bucket and added he's not a car guy.

Commissioner Maselli joked that the car has some assembly required.

Chairman Finch questioned where the DARE Jeep was located?

Chief Spera stated that the DARE Jeep is located at 36 Lynde Street.

Chairman Finch asked where the Galaxy is located?

Chief Spera stated 36 Lynde Street. This car is owned by the Police Union and maintained by Patrolman Hackett for free he said.

VIII. Comments and/or Concerns from Commissioners

Commissioner Maselli would like to add future agenda items such as Chief's evaluation and less than lethal force equipment and body cameras.

Commissioner Dunlap stated that he would like to go on the record stating that should a management study come to vote he would not support it.

Commissioner Burnham stating that a management study may possibly cost a lot of money.

Chairman Finch stated that he would want assurance that the negative along with the positive results be enforced whatever the case study should find.

Commissioner Burnham stated that the Commission should decide as a group if they want to move forward with this before Chairman Finch goes to see First Selectman Fortuna regarding it. She suggested adding it to next month's agenda.

Chief Spera stated that from an administrative point of view he welcomes this study.

Commissioner Maselli stated that this topic shouldn't be discussed right now as it wasn't an approved agenda topic.

Commissioner Sparaco stated that everyone owes the Chief a big thank you. Commissioner Sparaco can look out his window and see the new Police Station and he stated that Chief spends a lot of time there.

Vice Chairman Savino stated that he commends the Chief for letting the School Resource Officers be allowed to coach sporting teams at the high school. Detective Barnes and Patrolman Tanner both are more than just Police Officers he stated and it is valuable for the kids.

IX. Adjournment

Chairman Finch made a motion to adjourn. The motion was seconded by Commissioner Burnham. The motion to adjourn the meeting passed with a vote of 6 in favor and 0 against.

The next regular Police Commission meeting is scheduled for May 18, 2015 at 7:00pm in the first floor conference room at the Old Saybrook Town Hall.

Respectfully submitted by:

Jennifer Damato
Records Clerk for the Old Saybrook Police Commission