

OLD SAYBROOK POLICE COMMISSION

Regular Meeting

August 24, 2015

MINUTES

A regular meeting of the Old Saybrook Police Commission was held on Monday, August 24, 2015 at the Old Saybrook Town Hall.

Present: Chairman Finch, Secretary Stuart, Commissioners Burnham, Maselli, Sparaco and Coppes. 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. Public Comment

Chairman Finch opened the meeting by introducing and welcoming new Police Commissioner Brian Coppes stating that Mr. Coppes was appointed by the Board of Selectman to fill the vacant seat left by former Vice Chairman Savino.

Chairman Finch prefaced public comment by saying that public comment is not time to debate. He asked the public to please keep comments from running on too long and to please not repeat what someone else already said.

Dr. George Lynn stated that he has worked with the Old Saybrook Public School System and the Police Department for years. He met Chief Michael Spera many years ago as a School Resource Officer at the Old Saybrook Middle School. Over the years he has found Chief Spera to be a dedicated and responsive individual. Dr. Lynn stated that his experience with the Old Saybrook Police Department has been nothing but excellent and that is due to the leadership of Chief Spera. He has been nothing but supportive of Dr. Lynn during evaluations of Police Officer candidates. Chief Spera's dedication to serve the public and the Town of Old Saybrook is admirable he said.

Sal DeQuilla thanked the Commission for their time and stated that he wanted to remind the public that personal feelings should not hamper the obligations of the Town. The Police Department provides multiple services to the Town and no matter what every day the Police Officers get up and go to work and do their jobs. He stated that he has known Chief Spera since he was 18 years old. Chief Spera is a passionate leader. You may not like him but you don't have to he stated. Look at the situation, he stated, Chief Spera has always done what he thinks is best for the town. He asked the Commission to please support the Police Chief and the Police Department.

Colin Heffernan stated that he would like to look at the process, he felt that due process is warranted in this situation. He stated that there is just cause under Connecticut laws regarding an investigation of a Police Chief. Just cause is not a barrier to not do anything. The Commission may choose to pursue this matter he said and they have the right to.

Dave Tizzi stated that he started the ambulance association many years ago and he has known Chief Spera for quite some time. They have been at odds at times but he stated you will not find someone more prepared and dedicated to the job then Chief Spera. Remember the hurricane he said, Old Saybrook was hit hard but was one of the most well off towns in the state because of the preparation work Chief Spera did. There was plenty of bottled water for everyone, cell phone charging stations and places to shower and eat. That's what he does Mr. Tizzi stated. Personal feelings do not mean he doesn't do his job he said. Chief Spera does a great job.

Steve Beeler stated that he attended this meeting to give his support to the Chief and to the Department of Police Services. He attended the last meeting and while the Commission was in executive session he had the pleasure of meeting and speaking with all of the candidates. He has never met more knowledgeable, respectful men and women and that reflects on Chief Spera and his senior officers. These are great people who do their job when we support or don't support them he said. The first responders are always there and will always be. The Town needs to support the Police Officers like they support us he said.

Secretary Stuart asked if everyone knows something that he doesn't know. He asked why everyone was standing up giving support to Chief Spera.

Chairman Finch stated that tonight's Commission meeting it to discuss the letter from the Democratic Town Committee.

Secretary Stuart stated the he wasn't aware tonight's meeting would be discussing the letter and he doesn't know if there is anything to discuss tonight.

III. Approval of Minutes

Commissioner Burnham made a motion to approve the April 27, 2015 Regular Meeting Minutes. The motion was seconded by Commissioner Maselli. The motion to approve the April 27, 2015 Regular Meeting Minutes passed with a vote of 6 in favor and 0 against.

Commissioner Maselli made a motion to approve the August 4, 2015 Special Meeting Minutes. The motion was seconded by Secretary Stuart. The motion to approve the August 4, 2015 Special Meeting Minutes was passed with a vote of 5 in favor and 0 against. Commissioner Burnham abstained from voting since she did not attend the meeting.

IV. Election of Vice Chairman

Chairman Finch stated that the Commission tonight will elect a Vice Chairman since the former Vice Chairman resigned. The Vice Chairman will serve until the next municipal election.

Commissioner Burnham made a motion to nominate Commissioner Sparaco to Vice Chairman of the Police Commission. The motion was seconded by Secretary Stuart. The motion to elect Ernest Sparaco to Vice Chairman was passed with a vote of 6 in favor 0 against.

V. 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 highlighted a couple of the line items including gas which he stated is 97% expended due to the pre-buy for the year which has been paid. Postage is at 34% expended due to the lease payment for the Police Department postage machine.

Commissioner Coppes asked if the gas pre-buy amount will be enough to carry the Police Department thru the year.

Chief Spera stated that the First Selectman's Office purchased the gas and that the Police Department hopes to make it through the year on this pre-buy amount. Sometimes we have to buy more sometime we have some left over he said.

Chairman Finch questioned the vehicle maintenance line item stating that it was a little high for this early in the fiscal year.

The Chief responded that vehicle maintenance looks a little high due to regular maintenance that was deferred from last fiscal year. This work was something that the Police Department put off due to last fiscal year's personnel budget deficiencies.

Chairman Finch questioned the SBC Phone system line item.

Chief Spera stated that line items is a contractual cost which is paid every July 1st.

- 2. Asset Forfeiture
Balance: \$23,514.56
- 3. Police Administrative Fund
Balance: \$37,189.64
- 4. Traffic Safety Fund
Balance: \$27,048.63
- 5. Law Enforcement Fund
Balance: \$17,207.53
- 6. Old Saybrook Police Fund
Balance: \$320.00
- 7. Police Explorer Fund
Balance: \$5,392.60
- 8. Police K-9 Fund
Balance: \$1,812.93

B. Administrative

1. Personnel Report

a. Appointment Updates

Chief Spera thanked the Police Commission for actions taken at the last meeting regarding promotions and hiring of personnel. Office Tanner left the Commission meeting and went on to work her midnight shift and she has been working since and is doing a phenomenal job he said. Sergeant Hackett was promoted on August 10, 2015 in a small ceremony that took place in the new Police Department training room. His family was able to attend and his wife pinned his new badge on him. He was assigned to Master Sergeant Rankin for the Sergeant training program for the past month and he has been approved to be on his own. He will be running the midnight shift in the next week.

The Police Department is currently waiting on academy dates, the Department recently received a letter in the mail from the Police Academy stating they had a spot and when contacted the academy stated that the Old Saybrook Police Department should not have received the letter as the wait list has not been given seats yet. The Chief is hopeful that the Department will have one if not two spots in the October class.

The new School Resource Officers will be starting in the beginning to middle of September. They will start training immediately and the Chief hopes to have them in the schools by the end of September or beginning of October. There is a certain training process the new SRO's will have to go through he said. This training includes a Department firearms training class, meeting with the former SRO's and meeting their assigned school principals. Chief Spera has spoken to Superintendent Perruccio to update her on the progress.

Should two October academy seats open up Dispatcher Milardo will no longer be a full time dispatcher. She will be enrolled full time in the academy and there will be an open dispatcher slot. There has been interest from some of the part time dispatchers going full time Chief Spera stated. These are employees who have knowledge of the system and have already proved themselves as employees.

2. New Facility Transition

Chief Spera stated that the Police Department is still dealing with the warranty items that were previously discussed at past meetings. There has been no forward progress. The contractors are still trying to determine who is at fault for the failure of the epoxy floor and the raised access floors. The HVAC team is still working to fix the issues within the building. Currently a plan is being proposed to add more HVAC components to the roof top units. The access road to the cell tower was being worked on but it was determined the road was not satisfactory. There are a lot of things that still need to be fixed. The Police Department loves the new facility, the location and the safety it provides but the department is not ready for an open house until everything is fixed he said.

Chief Spera and Lieutenant Roche have been working hard to ensure that everything is fixed and that the tax payers get everything that they paid for. This building cost a lot of money and it should be right Chief stated. The Chief added he is confident that the warranty issues will be addressed.

Commissioner Maselli asked if the Building Committee has met recently.

Chief Spera stated that no there has not been a recent Building Committee meeting but there will be one hopefully soon.

Commissioner Coppes asked if Chief Spera has been working with the General Contractor.

Chief Spera stated that the Town signed a Design/ Build Contract with the company. The Police Department is currently planning on moving detention back to 6 Custom Drive when the epoxy floors get redone. There is no other place in Town where jail cells are already constructed and luckily the owners of 6 Custom Drive have been very helpful and easy to work with.

Secretary Stuart asked if the First Selectman has requested to get the Building Committee together.

Chief Spera responded that yes, First Selectman Fortuna is in the process of getting the Building Committee together. The warranty issues have become a process that is taking a lot longer to fix than anticipated but the tax payers of Old Saybrook will get everything that they paid for he said.

Secretary Stuart asked what exactly has to be moved. If it is just cells why don't you use the State Police cells he asked?

Chief Spera responded that unfortunately the State Police records system is very different from the Old Saybrook system and that it would be double the work for Old Saybrook Police Officers.

Secretary Stuart asked if equipment has to be moved.

Chief Spera responded that all of the dentation area will have to be moved to fix the epoxy floor but not everything will go over to 6 Custom Drive. Evidence will hopefully stay on site at 36 Lynde Street. A Police Officer will only have to be over a 6 Custom Drive when a prisoner is there. Once the prisoner is in the cell a civilian employee or dispatcher can be stationed there with a radio.

VI. **Possible Anticipated Executive Session**

Attorney Cronin stated that this anticipated executive session is to review the Democratic Town Committee complaint against the Chief of Police. Executive Session is used when discussing personnel issues, performance and so on. The Chief has the right not to allow executive session he said and have the discussion kept in public.

Chief Spera stated that he received a letter from Chairman Finch regarding the complaint and the anticipated executive session and he does not object to executive session.

Commissioner Maselli stated that he votes to adjourn to executive session.

Secretary Stuart questioned why the Police Commission was going into executive session. The Police Commission doesn't know what happened he said. The Chief should give the Police Commission a written report he stated.

Commissioner Maselli stated that these concerns should be discussed in executive session.

Chairman Finch stated that Attorney Cronin and Attorney McHale were invited to make sure the Police Commission has the correct legal guidance.

Secretary Stuart stated that he feels the Commission is jumping a step in the process.

Commissioner Maselli stated he does not feel comfortable discussing this matter any further outside executive session.

Commissioner Maselli made a motion to enter Executive Session. The motion was seconded by Commissioner Burnham. The motion to enter Executive Session was passed with a vote of 5 in favor 1 against. Secretary Stuart opposed.

Attorney Ralph Monaco stated that he represents the Chief of Police and he questioned what exactly Chief Spera has been charged with.

Chairman Finch stated that nobody has been charged with anything. The Police Commission needs to go into executive session to discuss taking any action regarding the Democratic Town Committee complaint.

Attorney Ralph Monaco stated any facts that the Commission will discuss should be brought up in public forum.

Chairman Finch stated that the only thing that will be discussed in executive session will be the letter.

The Police Commission adjourned at 7:38PM and entered into Executive Session at 7:43PM

The Police Commission exited Executive Session at 8:20PM and the Police Commission meeting re-adjourned at 8:25PM.

VII. Possible Discussion and Possible Action pertaining to matters discussed in Executive Session.

Chairman Finch stated that the Police Commission has met and been given legal advice. He asked the Commission if anyone had any motions they would like to make.

Secretary Stuart made a motion to request from Chief Spera a written report regarding the complaint as spoken to by legal counsel. The motion was not seconded.

Commissioner Burnham made a motion after consultation with legal counsel to move that the Police Commission take no further action with regard to Mr. Ladd's letter to Chairman Finch, received by the Police Commission on May 21, 2015. The motion was seconded by Commissioner Maselli. The motion to take no future action with regard to Mr. Ladd's letter to Chairman Finch was passed with a vote of 5 in favor and 1 against. Secretary Stuart opposed.

VIII. Public Comment

Attorney Ralph Monaco thanked the Police Commission on behalf of Chief Spera. He stated that just cause does not cover speaking out on matters of public safety. The Chief of Police should step up and speak out without political fear when public safety is in danger.

Chris Root asked where the funding to pay for the move is going to come from.

Chairman Finch stated that is being discussed with the contractors.

IX. Comments from the Chief of Police

Chief Spera welcomed Commissioner Coppes to the Police Commission and stated that he looks forward to working with him.

He then went on to say that today he was given some bittersweet news. Detective Sergeant Heiney submitted his retirement letter. His letter is short but sweet, he said. This is a highly decorated officer who has put in over 35 years with the Old Saybrook Police Department. He was shot in the head in 2005, came back to work, trained many officers over the years and was a key force in the development of the Criminal Investigation Unit. He will be sorely missed Chief stated. With Detective Sergeant Heiney's departure there will be a structure change in the Criminal Investigation Unit which Chief Spera will talk about at the next Police Commission meeting.

X. Comment and/or Concerns from Commissioners

There were no comments and/or concerns from the Commissioners

XI. Adjournment

Commissioner Maselli made a motion to adjourn. The motion was seconded by Secretary Stuart. 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 September 28, 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