

OLD SAYBROOK POLICE COMMISSION

Regular Meeting
February 26, 2018
MINUTES

A special meeting of the Old Saybrook Police Commission was held on Monday, January 22, 2018 at the Old Saybrook Town Hall.

Present: Chairman Moran, Vice Chairman Von Dassel, Secretary Shippee, Commissioner Reid, Glowski, Cooper and Keeney. Chief Spera and Lieutenant DePerry were present from the Department of Police Services.

This meeting was video and audio taped by the Town of Old Saybrook.

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

Chairman Moran called the meeting to order at 6:56 PM and led those in attendance with the Pledge of Allegiance.

II. **Minutes**

A. **January 22, 2018 Regular Meeting**

Commissioner Keeney made a motion to approve the January 22, 2018 Regular Meeting Minutes. Secretary Shippee seconded the motion to approve the January 22, 2018 Regular Meeting Minutes.

The Police Commission discussed the January 22, 2018 Regular Meeting Minutes.

Commissioner Cooper stated that Secretary Shippee stated at the last meeting that she wanted to look at the reason why turnover was high for multiple previous years not just last year.

Commissioner Keeney asked it be added to the minutes that at the last meeting Chief Spera volunteered to put together his goals for the Department.

Chairman Moran stated that Chief Spera will have a PowerPoint presentation regarding his goals for the Commission and himself at a following meeting.

Secretary Shippee stated that at the last meeting the motion to approve the minutes was one motion not three separate ones.

The motion to approve the January 22, 2018 passed with a vote of 7 in favor and 0 against.

III. **Executive Reports**

A. **Financial**

1. **FY 18 Budget Status**

Chief Spera stated that he wanted to remind the Commission that the line item Uniform Cleaning is not budgeted to actual liability and that due to the unusual amount of turnover the Department had to purchase additional uniforms which will lead to an overage. The entire budget will not run over but this

specific line item will. He also stated that the Extra Personnel line item will be over budget as that is the line item that backfills vacant shifts. The personnel line item will not be over just like the previous year. Commissioner Cooper asked if the Police Department is currently fully staffed.

Chief Spera stated yes and no.

Commissioner Cooper asked about the Emergency Communications line items being expended 84% total.

Chief Spera stated that he will double check that percentage and get back to the Commission.

2. Report of Off Budget Accounts

Chief Spera stated that the Commission has their normal monthly report regarding off budget accounts. He stated that on the Police Admin page the Commission will see a deposit and withdraw for the same amount. The money was given by the Police Union to purchase the new treadmill for the wellness facility.

Commissioner Cooper asked why there is Taser withdrawal under Asset Forfeiture and a deposit under Police Admin.

Chief Spera stated that asset forfeiture is controlled by the state and he reviewed the three year Taser plan.

Commissioner Cooper stated that he would like to set up a meeting with the Board of Finance to look over off budget accounts. He stated that he doesn't understand why the Golf Cart registration fees are not deposited into the General Fund.

Commissioner Cooper asked when the Golf Cart registrations are sent out.

Chief Spera stated that the registrations are good until June 30, 2018 and that the new forms will be mailed out in late April or early May.

3. FY 19 Budget Process

Chief Spera stated that on Tuesday March 6th at 7:00 PM he and Chairman Moran have been invited to present the budget to the Board of Finance.

He also passed out the Board of Selectman's budget that was passed on to the Board of Finance.

IV. Administrative

1. Personnel Reports

Chief Spera stated that Dispatcher Kevin Lyon has requested to go from full time employment to per diem.

He stated that Patrolman Testoni has chosen to resign due to some very personal reasons. Chief Spera added that he approached Patrolman Testoni with multiple options in order for him to remain in the Department but he declined. Chief then passed his letter of resignation around for the Commission to read.

He advised the Commission on the status of the trainees stating that Patrolman Trainee Stratidis took her written exam today and passed. She will be given the field test tomorrow he stated and Patrolman Trainee Micowski will be taking the written test tomorrow and then field test the following day. Patrolman Trainee Tabor is about a week behind just due to scheduling differences. He has about 40 more hours that he needs to complete before being able to be tested. Patrolman Trainee White and Palmieri will graduate from the academy at the end of March and the final two in the academy will be about halfway through at that point.

Chief Spera stated that the Department has purchased a new K-9. The dog is home and living with Patrolman Schulz and his name is Chase. Patrolman Schulz's final test is this Friday and they will begin classes in early March.

Commissioner Cooper asked if Patrolman Barnes retired.

Chief Spera stated yes the Commission was advised of his retirement.

Commissioner Cooper asked if the Commission ever saw an exit interview.

Chief Spera stated no Patrolman Barnes never filled out an exit interview.

Commissioner Cooper asked about the activity report stating that there seems to be a jump in the number under officer needs assistance.

Chief Spera stated that is when an Officer calls for backup, due to the climate, each nature of the call etc. depends on backup. Chief stated that he would rather have his Officers safe and call for backup then not.

Commissioner Cooper also asked about the numbers on the activity report stating that they don't match up on the left and right side.

Chief Spera stated that the left side is the call in numbers and the right side is the police activity numbers.

V. **Discussion and Possible Action concerning future salary increase to the Chief's employment contract.**

Commissioner Cooper stated that he reviewed the Chief's contract and it does not talk about cost of living raises but that it should be based upon the Chief's evaluation and he feels he should not be given a raise unless it is tied together to a performance evaluation.

Commissioner Cooper made a motion that the Police Commission does not grant any future raises to the Chief of Police unless it is based off an evaluation with the Police Commission recommending the salary increases and not the Town. Secretary Shippee seconded the motion.

The Police Commission discussed the motion.

Vice Chairman Von Dassel stated that is not how he read the contract.

Commissioner Reid asked Commission Cooper what exactly he was suggesting the Police Commission do.

Commissioner Cooper stated that he is suggesting the Police Commission does not grant a raise to the Chief of Police unless there is a performance evaluation tied to it.

Vice Chairman Von Dassel stated that the evaluation has to be something that Police Commission and the Chief of Police both agree on and there was no mutually agreeable evaluation found.

Commissioner Keeney stated that the Commission has a responsibility to give it another attempt.

Vice Chairman Von Dassel agreed stating that he did not personally disband the subcommittee.

The motion that the Police Commission does not grant any future raises to the Chief of Police unless it is based off an evaluation with the Police Commission recommending the salary increases and not the Town passed with a vote of 4 in favor and 3 against with Commissioner Keeney, Reid and Vice Chairman Von Dassel voting against it.

VI. **Discussion and Possible Action concerning having a workshop presented by a representative from the Freedom of Information (FOI) Commission.**

Chairman Moran made a motion to have a workshop presented by a representative from the Freedom of Information Commission. Commissioner Glowski seconded the motion. The motion to have a FOI workshop passed with a vote of 7 in favor and 0 against.

VII. **Discussion and Possible Action to request Police Commission Participation in the upcoming Dispatcher Union Contract Negotiations.**

Commissioner Glowski asked if any dates have been decided yet.

Chief Spera stated nothing has been set up yet.

The Police Commission discussed having Police Commission representative take part in the upcoming Dispatcher Union Contract Negotiations.

Vice Chairman Von Dassel volunteered along with Chairman Moran to sit in on the discussions should they be invited by the First Selectman.

VIII. **Public Comment Policy Review – Discussion**

At the last Police Commission meeting it was requested that the Chief bring the Public Speaking policy to this meeting.

Chief Spera read the Police Commission By-Laws regarding Public Comment Conduct and Procedure into the minutes.

Public Comment Conduct and Procedure

The Police Commission may permit any individual or group to address the Commission concerning any subject that lies within its jurisdiction, except as noted below, during a portion(s) of the Commission's regular or special meetings so designated on the agenda for such purpose.

1. Three (3) minutes may be allotted to each speaker and a maximum of thirty (30) minutes total to the public comment period. The Commission may modify these limitations at the beginning of a meeting if the number of persons wishing to speak makes it advisable to do so.
2. A Police Commission member shall be appointed by the Chairperson prior to the meeting to act as timekeeper for the meeting, if deemed necessary by the Chairperson.
3. No disruptive conduct shall be permitted at any Police Commission meeting. Persistence in disruptive conduct shall be ground for removal of the disruptive individual(s) from the meeting room by order of the Chairperson or if appropriate the Chairperson may order the meeting room cleared and continue the meeting in executive session, provided duly accredited representatives of the media who are in the attendance shall be permitted to attend the executive session, unless they were participating in the disturbance.
4. Speakers are requested to refrain from presentations that discuss the work performances of specific employees of the Department of Police Services in a negative manner, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify the employee. Members of the public, if they so choose, may submit commendations, comments, or complaints concerning specific employees to the Department of Police Services. To the extent members of the public have concerns about personnel they are encouraged to bring them to the attention of the Chief of Police or, if they prefer, through written communication to the Commission Chairperson.
5. At no time will the Police Commission permit public comment or engage in discussion during public comment portion of a meeting concerning an active investigation or an arrest awaiting adjudication.

Chairman Moran stated that due to the situation that arose at the last meeting he felt it was appropriate to bring the Public Speaking Policy up again.

Commissioner Cooper stated that while the gentleman's words were inappropriate and offensive his conduct was not out of line.

Commissioner Reid disagreed stating that the gentleman created a hostile environment.

Commissioner Cooper stated that the gentleman was trying to make a point about his concern over the size of the Police Department.

Commissioner Reid asked Commission Cooper if he is supporting the gentleman's comments.

Commissioner Cooper stated no, he is supporting his right to state his opinion.

Chairman Moran stated that the point of the policy being read into the minutes is to make sure the Commission is all on the same page.

Chief Spera asked the Commission if they wanted the public comment policy printed on the back of the agendas each meeting.

Commissioner Glowski stated no he doesn't feel that is necessary.

IX. Comments from the Public

Eleanor LaPlace stated that she came in late to the last meeting but she stated that this doesn't just apply to the Police Commission but to all Commissioners. Each and every one of them took an oath to uphold to do the best thing for the town. She asked them to stop and listen when making decisions where to spend money. She stated that the spending is out of line. Each commissioner should bear in mind that there are many people with different needs within the community.

Barry O'Neil stated that he sent a letter to the Commission back in January and that since it was not read at the January meeting he wanted to read it now. The letter commended the Police Officers who had arrived to help his neighbors and it thanked the Officers for a job well done.

Chief Spera stated that his letter was passed out to the Commission.

A gentleman stood up and stated that he sent in an FOI request for the log books for the Police Boat and the Fire Boat. He stated that he received the wages and expenses for the Police Boat. He was looking for reports covering activity as it's difficult to make an assessment without that. He is looking for what the Police Boat actually achieves.

Chief Spera stated that the statistics are in the budget book and that he will make a copy for him.

Carol Conklin stated that she is here as a parent to acknowledge the quick response from the Police Department regarding the recent issue at the high school. She just wanted to say thank you.

Eleanor LaPlace stated that she supports and evaluation.

X. Comments from the Chief of Police

Chief Spera stated that due to the unfortunate event in Florida school safety is up front and center and that he has met with the Superintendent regarding his concerns. He sent her a long list of things to go over and they are working with each other to review security procedures, providing additional security at drop off etc. The Police Department is present for more after school activities and that he hopes to continue that as needed. He is also working on having a community conversation with the Police Department, Superintendent and Youth and Family Services to listen to the community in respect to school safety.

He stated that he has been working with the Garden Club over the past couple months in order to make their jobs safer. He proposed a "great plant" where planters would be worked on at the same time which would allow for a safer work zone for the volunteers.

Chief Spera advised that the dispatch center will be rolling out the text to 911 system soon.

He stated the diaper drive has been very successful and he thanked everyone who donated. So far 15,000 diapers and 17,000 wipes have been collected.

He advised the Commission that the state has changed the bingo regulations putting the responsibility on the Chief of Police instead of the state now. He stated that he was not going to take money from the Goodwin School PTA or the Estuary Council. Should more bingo requests roll in he will reevaluate.

He stated that he is working with a group looking to march here in town on March 24 and that he is working with the Superintendent on the planned student walk out with his focus making sure both are as safe as possible.

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

Commissioner Reid stated he saw that the police cruiser is parked in a very visible location in front of the high school and asked if that was being done at the other schools.

Chief Spera stated yes.

Commissioner Cooper asked Chief Spera if he could elaborate on the recent arrest at the high school.

Chief Spera stated that there are times as Police Department that something has to be done to make people feel safe. When there is justified parental concern it is right to calm the waters. He stated that he is required by law to report the arrest publically and he was very pleased at the in depth investigation led by Lieutenant DePerry as there was a large amount of people that needed to be interviewed and how the Police Department work endlessly to make sure everything was safe for students to return to school on Wednesday.

Commissioner Cooper asked about a rumor regarding weapons.

Chief Spera stated that he will be meeting with the Superintendent and staff to dispel rumors. He stated there was a large amount of information that was taken in and without seeing the entire picture someone might not appreciate it. Chief Spera stated there were no guns seized and no direct threat to the school. He stated the arrest was appropriate and timely.

Commissioner Cooper stated that he would be useful if the Commission had copies of the press release.

The Commission discussed press releases getting sent to them.

Commissioner Reid asked who does the agenda.

Chairman Moran stated that he does and that he can give the Commission his email should they want to request anything be added.

Commissioner Keeney asked to add to the next agenda putting together a subcommittee to evaluate the Chief.

Chairman Moran stated he would like to add that to the next agenda.

Secretary Shippee stated that she was invited by Barry O'Neil to join a Robert's Rules meeting and that the do over vote that was previously done should never have been allowed. She stated that as far as the agenda everyone can submit what they are thinking at the end of the meeting. She stated that Youth & Family should be involved with the Chief's meeting with the Superintendent as there are many deeper issues that need to be resolved such as mental illness, drug issues, bullying etc.

Commissioner Glowski asked if Lieutenant DePerry is salary or hourly and if he is receiving overtime pay to attend these meetings.

Commissioner Reid asked if there is a reason why he is asking that.

Commissioner Glowski stated that if he didn't ask the question then he wouldn't be doing what he was voted in for.

Commissioner Reid stated that the second in command is always there for a reason.

Chief Spera stated that he does not make overtime by attending these meetings it is part of his responsibility as the Lieutenant and that he is a salary position.

Commissioner Glowski stated that he received evaluation of a Police Department from a Board of Finance member that he wanted to pass around.

Chief Spera stated that was an out of state evaluation.

Chairman Moran stated that he will add the RFQ to the agenda.

XII. **Adjournment**

Commissioner Cooper made a motion to adjourn. The motion to adjourn was seconded by Chairman Moran. The motion to adjourn passed with a vote of 7 in favor and 0 against.

The meeting adjourned at 8:32 PM.

The next regular Police Commission meeting is scheduled for March 26, 2018 at 7:00 PM 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