

Town of Montville
Montville Law Enforcement Feasibility Committee
Meeting Minutes
Tuesday, September 23, 2014
6:30 p.m. – Room 203 – Montville Town Hall

1. Call to Order
Chairman Pike called the meeting to order at 6:40 p.m. after establishing a quorum.
2. Pledge of Allegiance
3. Roll Call
Present were Bill Bucko, Jeff Buebendorf, Joe dePasquale, Robert Giffen, Victor Lenda, Tim May, and Wills Pike. Also present were Lt. Leonard Bunnell and Resident State Trooper Sgt. James Smith.
4. Remarks from the public relating to matters on the agenda with a three-minute limit — none
5. Alterations to the Agenda — none
6. Approval of the Regular Meeting Minutes of September 9, 2014
Mr. Lenda requested the following addition to the page 2, second paragraph, second sentence:
“The 2008 CT Police Chiefs Association report, he felt, provides a good reference point as it clearly explains the Resident Trooper system as well as the municipal police.”
Councilor May requested that the minutes capture as much of their conversations as possible.
Motion made by Councilor May, seconded by Bill Bucko, to accept the minutes as amended.
Voice vote, 7-0, all in favor. Motion passed.
7. Unfinished Business
 - a. Review of previous independent Police Department (PD) studies and reports
 1. Five questions (focusing primarily on the 2012 Almont report)
Chairman Pike:
 - 1) Are the services available with the Resident State Trooper (RST) Program also available to independent police departments (PDs)? (page 64)
 - 2) \$100,000 for a Police Chief...What quality do we get for that price? (page 65)
 - 3) Performance evaluations absent, what method(s) are used to ensure performance adhering to established standards are met or exceeded? (page 67)
 - 4) Policy's and Procedures...backbone of unit functionality. Why is Montville PD lacking? (page 69)

- 5) RST contract specifically has RST establish multiple tasks working with the Town CEO. This is not the case in Montville. (page 73)

In response to Mr. Giffen, who wondered whether the question regarding the method used to evaluate police officers should be under the auspices of the Public Safety Commission, Chairman Pike felt that, because the report establishes a culture of the current RST/Montville Police Department (MPD), how the report claims the department is operated should be considered by the Committee.

Mr. dePasquale stated that Lt. Bunnell has drafted policies and procedures for the agency and the department does have a manual. The problem with the Lieutenant drafting the policies is that some of the policies, though for the MPD, must be approved by the commanding officer of the barracks, which sometimes causes conflicts between the two agencies. In addition, policies, such as those for the DRE and Animal Control, have been met with adverse reaction by the State police such as the.

Mr. Bucko:

Mr. Bucko distributed a copy of his questions to the Committee.

- 1) Shall we incorporate a Mission Statement into our Committee methodology? An example of a Mission Statement that is typically utilized was provided.
- 2) The Almont study recommends that the position of Chief can be held in abeyance as stated. As we move forward shall we leave the position of Chief out of our study work due to the cost associated with that position? Mr. Bucko pointed out the difference between the Almont study and the CT Police Chief's report regarding staffing. (page 74, item 1)
- 3) The Almont study does not incorporate the position of Executive Officer in their study work. This position may be necessary, but is it a required position for us to recommend. Also what is the pay scale for this station? (page 5, paragraph 2 vs. CT Police Chief report, page 16)
- 4) The Almont study goes into a detailed summation in regards to Office Staffing requirements as stated on (pages 76 and 77). The study recommends a new hire to the officer squad if in fact that the 60-70% dedicated time is reached. How can we determine (today) by the examination of this report if in fact we have reached these numbers? (page 82, paragraph 3 and page 77, paragraph 3)
- 5) Almont recommends one new hire. The Chief of Police report recommends nine new officers. How can we make a clear justification as to the true new numbers and how do we propose to pay for them? (CT Police Chief report, page 3, paragraph 3)
- 6) Referencing the YTD 2014 Montville Budget Report, pages 7 and 8 and CT Police Chiefs report, page 16: The estimated difference between the RST and Chief's

salary is \$26,322.05 in favor of the Chief. Note, “This is an estimated figure and as our study becomes more investigative in detail it may in fact be a wash between the RST and the Chief’s salary.”

Mr. Lenda:

- 1) The Almont report, page 64, section 4.1, first paragraph, states that their report is the fourth study charged with the question of whether the MPD should remain with the RST program or move towards an organized municipal PD. This question has previously gone to voters and failed for lack of support. Why has this continued to fail and lack support from the voters?
- 2) The Almont report, page 64, section 4.1, second paragraph, states a Tri-town Public Safety Study Committee released a report in 2010 for Ledyard, Preston, and Montville. Among other things, according to the Almont report, this report “clearly states” the benefits of an organized PD over the continuation with the RST program. What are the benefits this study found? Where is the report? Who wrote and studied these issues?
- 3) Many officers that have spoken to me have expressed concern with supervision, both locally and from the State. Also, the concern for no medical coverage upon retirement. What cost issue will this bring to this Committee if these concerns are answered?
- 4) Safety for the officer(s) and the public they serve is a real concern for this Committee. As we study and look into the question we are charged with, what is the true cost of an organized PD? What chain of command will we look into and how many officers on patrol will we seek?
- 5) What do the present group of patrol officers and sergeants think of the RST program? Will they support a change? Will they support a schedule change? Can we interview them?

Mr. Giffen:

- 1) Based upon the reports, he found it difficult to determine whether the police department is understaffed or not and, before any costs can be determined, that level would need to be determined. He questioned how the Town Council felt about the report and what they feel would be the correct staffing. He would also like to pose this question to the RST and gather his opinion as to whether he feels the department is properly staffed.
- 2) What is preventing dispatch from coming under the police department and what is the Fire Marshal’s response to the public safety issue regarding the dispatch center

issue? What was the response raised in the report relative to the problems in the dispatch center?

- 3) The Almont report recommended a SWOT analysis. Was this done and, if not, why not?
- 4) Why was the regional police department with Preston and Ledyard not pursued?
- 5) How does the number of calls for service divided by the number of officers compare with those of other towns?

Mr. dePasquale:

- 1) What is the anticipated staffing and chain of command?
- 2) Is it possible to obtain the current contract the Town has with the RST program with regards to the costs, including the salary, benefits, and associated costs, so that they can determine the fluidity of the numbers? While a percentage may be listed, he is unsure as to whether the listed percentage is the actual figure the Town is being charged.
- 3) Should both the MPD and State police respond to a call in Montville, the Town incurs liability. In response to Councilor May, Chairman Pike stated that the Almont report specifically states on page 73 that “The Town of Montville holds all liability for the performance and transgressions of their police officers.” Mr. dePasquale clarified that should a situation occur, both the Town and the State would be named; the State police would be represented by the Attorney General’s office and the Town police by the Town’s legal counsel. Being under the program does not protect the Town from any liability. The Town indemnifies the State.
- 4) Where does the regionalization of the dispatch center currently stand and how does it play into the next role?

Mr. Buebendorf:

- 1) What recommendations in the Almont report are presently in place and have already been accomplished (i.e., the Public Safety Building)?
- 2) Viewing the Almont report as a kind of wish list, what items in the Almont report are recommended, but unnecessary, to establish an independent police force? What recommendations are absolutely required for an independent police force?
- 3) In an effort to weigh equivalent programs against each other and determine their cost differentials, is it possible to obtain an itemized list of all law enforcement related expenses offset by any income, if any, incurred under the current RST program? Likewise, is it possible to obtain an itemized list of all law enforcement-

related expenses offset by any income, if any, that are anticipated to be incurred annually by an equivalent independent police force?

- 4) What benefits are obtained by the RST Program that would be lost if we went to an independent police force? Conversely, what specific and substantive benefits would be gained that are not currently provided under the Program?
- 5) How much is the annual cost of the RST Program anticipated to increase over the next five years? Studies indicate that the RST Program will be increasing from the current 70% of the salary, benefits and other costs and to 100%.

Councilor May:

- 1) What is the preferred size or adequate manning of an independent police force?
- 2) As discovered during their tour of the Public Safety Building, there are some non-recurring costs for services, currently provided by the RST Program, that would be necessary for an independent police force. What are services currently provided by the RST program? Is it possible to obtain a comprehensive list?
- 3) How can Montville utilize mutual aid with other towns to make up for potential services lost? Is it an option?
- 4) What is the command structure required to man a 24-hour police department on weekends, normal work days, evenings, etc.?
- 5) What towns are analogous to Montville that have either an independent police force and/or a RST Program?
- 6) It is estimated that the 1,300 – 1,400 inmates at the Corrigan-Radgowski Correctional Facility are included in the overall population of the Town. What is the actual population of the Town? It is important to determine the actual population of the Town in order to establish the necessary manning requirements of an independent police force.

Chairman Pike commended the Committee on their efforts and thought put into their questions. His concern with the Almont report is that, while it introduces a number of important factors, there are many unanswered questions. They will need to determine an objective avenue to move forward with the questions they select in an effort to ensure and maintain objectivity and create a tangible, solid and defined presentation for the public.

Councilor May suggested compiling and selecting the most relevant questions to create a mission statement for the Committee.

Mr. Giffen stated that many more questions exist and many more are sure to arise. He stated the importance of determining the required staffing and actual costs before moving forward regardless of whether they stay in the RST Program or go independent.

He stated the need for a presentation by the MPD and RST regarding the department's current staffing situation and their respective reasons. He also felt it important to invite the Finance Director and request, from her, an actual copy of the last two operating years of the police department budget. While Councilor May does have a copy of the budget with the line items, Mr. Giffen felt that the basis needs to be determined in order for them fulfill the charge of determining the costs. Their current and proposed situation regarding the staffing makes no difference in the actual costs, i.e., should it be determined that they are currently understaffed by seven officers and they recommend an independent police force, those seven officers should not be included in their final costs as that relates to their assessment of the current situation.

Mr. Buebendorf stated that he did attempt to put together an itemized list of the police department's current budget, but was not confident that he captured all of the items. Councilor May, who obtained the budget from the Finance Director, requested clarity of their needs. Mr. Giffen and the Committee suggested requesting line items of the last two years of the operating budget. Councilor May suggested providing the Finance Director with their requests and time to compile the materials prior to her presentation.

Chairman Pike voiced his support of the idea of inviting the Lieutenant, Resident State Trooper, and the Finance Director to provide them with a presentation of their current situation. Mr. dePasquale added that, in determining adequate staffing, the figures of both the salary and benefits package must be considered whether they opt to remain with the RST Program or go independent. It is important to determine the initial start up costs for the staffing as well as, for example, a fair salary for a police chief. For example, the town of Groton is currently offering a salary of \$115,000.00 for a Police Chief, plus, Councilor May estimates, \$25,000.00 - \$30,000.00 for benefits.

Mr. Lenda felt that it is an excellent idea to invite the RST and the Lieutenant to present their opinions and facts regarding staffing and operations of the department so that they can determine their needs. This information will provide them with the proper questions to ask the Finance Director.

The question was raised as to whether the RST and Lieutenant should conduct their presentation separate of each other or together. In response to Chairman Pike, Lt. Bunnell, stated that they are happy to provide them with any facts, figures, and information. He further added that the most important question that they need to answer is whether they are doing the job and whether it is getting done. He answered that the job is getting done because the operations are getting done at the expense of administration, e.g., evaluations, policies. While their administrative duties are being completed, they are not being completed adequately. While the RST and Lieutenant should be taking care of administrative duties, they are, instead, giving their attention to the day-to-day operations of the department. Currently, the department has five (5) sergeants, two (2) administrative, and one (1) clerk who are dedicated to administration,

but are also doing operations. He suggested researching other departments to determine what it takes to do the job and see how they are conducting business. Currently, the State police is also taking care of some of their administrative duties, e.g., reports, filing for records, FOIs, and court dispositions. These and other resources, including lock-up and detention, radio system and dispatch, will no longer be available to them as an independent police department. It is important to understand that the day-to day demand is far greater than what is realized by the public.

Mr. Giffen requested they provide them with the number of officers and clerks necessary for the department to do their job and, with those numbers in hand, they will be able to compare them with other towns.

Lt. Bunnell felt that, in answer to Mr. Lenda's question regarding the lack of public support and failure of the issue was due to the building costs. That issue has been resolved by the recent construction of the Public Safety Building. The next item is dispatch, which is currently being resolved. Other costs, such as the impound lot, will also come into play. Chairman Pike stated that the items he is discussing are the issues that he would like them to discuss during their presentation.

Councilor May reiterated Lt. Bunnell's statement regarding the need for not only manpower, but also the materials they will need to do their job.

Mr. Buebendorf stated that he would like to ensure that they are able to compare what they have and are paying for currently on somewhat of an equivalent basis to what they will be getting with an independent police force. What they currently have and what they need would be the same whether they stay with the RST Program or go independent. Either way, those needs (will) exist. In such case, in terms of doing the comparison, he is interested in knowing how many *more* people are necessary should they go independent because they will not be able to use the State police for those resources. In response, Lt. Bunnell stated that some research of other departments would be necessary to determine those needs.

Councilor May, referring to the comparisons provided by Sgt. Smith, stated the need to compare towns, not by size, but by its qualities such as the town of Windsor. In response, Lt. Bunnell suggested they put their questions together and they will respond accordingly. He felt that the Almont report answered the question regarding their current needs and changes that need to be made.

After determining that the Public Safety Commission (PSC) did not make any recommendations to the Town Council based on the information provided by the Almont report, Mr. Giffen questioned why. Councilor May admitted his ignorance on many of the issues raised in the Almont report, which did not play a role in their decision-making, during the budget hearings. Chairman Pike expressed his dismay at the Town Council, who, he felt, appeared to "dismiss" the \$40,000.00 report. Lt.

Bunnell stated that there was discussion by the Town Council regarding their need for the PSC to provide their recommendations and, while PSC Chairman David Jetmore did push the Commission for those recommendations, the task was never completed.

Mr. Bucko requested Lt. Bunnell to review and illuminate section 4.3 of the Almont report regarding staffing for the Committee during their presentation.

Mr. Lenda requested the Lieutenant provide what it would take for the department to function, i.e., the number of clerks, patrol officers, and administrative officers. Lt. Bunnell stated that he does not know how many man-hours it would take to satisfy the legal requirements for dispositions, erasures, or FOIs. Currently, thanks to Sgt. Smith, all of the FOIs are being forwarded to and completed by the State. He also stated that deadlines should be placed regarding the fulfillment of these positions so that the department can adequately fulfill their duties.

Mr. Buebendorf reiterated that the needs of the police department exists whether they opt to recommend to stay with the RST Program or form an independent police department and would not factor in to his determination.

Lt. Bunnell agreed and suggested they compile and forward their questions forward so that they can respond accordingly.

In response to Chairman Pike's request for a presentation, Sgt. Smith stated that his presentation would be based primarily on comparative research he would conduct of different towns with comparable demographics. Determining what they do, he will be able to inform the Committee of what would be required should they opt to do something similar. Being only two-months into his position as the RST for the Town, he did not feel he had the necessary experience to determine the Town's day-to-day needs.

Mr. Lenda stated that, based upon his experience as an RST and Duty Supervisor, they would like his opinion on how the State operates and what it may take to run a town this size. Sgt. Smith added that the State's resources include a legal department, forensics, and other such functions of which he has no knowledge. He felt that a local police department would be able to provide them with the necessary information as to what an independent police force would require.

In response to Mr. dePasquale, Lt. Bunnell stated that they are currently down four (4) officers. The minimum number of officers for each shift are three (3) on day-shift, three (3) on the evening-shift, and two (2) on the midnight-shift, but there are occasions when three (3) are working during all shifts, primarily during the middle to the end of the week, requiring overtime. His optimal number is four (4) officers per shift, including one sergeant.

Mr. dePasquale offered to request the Commissioner from the Windsor Locks Police Department, who is also a retired sergeant with the State Police, to provide a presentation. There are some similarities between Windsor Locks and Montville including their transient population in the airport area and the casino. Windsor Locks Police Department currently has 25 sworn police officers. He questioned whether the department's current scheduling will work, from an operational standpoint for the agency outside any administrative/clerical needs, since labor issues which may arise with any scheduling changes.

Sgt. Smith clarified that the highlighted items on the distributed handout are those with the numbers. Seymour may also be added to the list. He stated that Lt. Bunnell contacted the Board of Education who provided a list of the towns with similar demographics. Each of the towns' police department's contact information were obtained. He also visited each of the department's websites and a copy of their current roster, if available, was printed. He also reached out to the Law Enforcement Council (LEC), who is responsible for their training, interviewing, written tests, and the like and provided them with the demographics for some of the police departments in the area, respective of their size, structure and salary. The size and population of Stonington is almost identical to that of Montville, along with East Lyme and Ledyard. Lt. Bunnell added that the main difference between Montville and Stonington is that their calls for service far outcried theirs and, as such, have more staffing.

In response to Councilor May, Lt. Bunnell stated that the top calls they receive on a daily basis are disturbances, be it suspicious activity or fighting.

At the request of Mr. Buebendorf, Lt. Bunnell elucidated the report regarding the police department's calls for service. He explained that the document indicates the total number of calls for service to which the department received and responded. Type 1 calls are those calls with added investigations and require full-blown reports culminating with arrests. Troop Calls indicates the number of calls received through the Troop while Police Department calls are those calls received by the department. Walk-ins includes complaints, fingerprinting, and/or directions and By Officer are those instances in which an officer comes upon a situation while he/she is on patrol. The additional pages are the breakdowns of the types of calls they have received including motor collisions, administrative tasks, responses to alarms, criminal activity (burglaries, trespassing, etc.), motor vehicle activity (abandonment, disabled vehicles, DUIs, etc.), assists, and administrative tasks including civil issues, fingerprinting, or other such police services, and a summary of all of the calls, with the exception of patrol checks.

The Committee's questions will be included in their minutes. Lt. Bunnell requested a summary or a list of the questions by priority.

Discussion ensued regarding what the Committee should be using as a benchmark in their comparison of the two programs.

Mr. dePasquale added that the contract must also be reviewed in order to determine those services that the State currently provides through the RST Program and that, as an independent police department, they would need to provide.

Mr. Giffen suggested determining whether they are properly being served now and, if not, their needs. Those additional costs would be necessary whether the department stays with the RST program or goes independent and, thus, can be added to their baseline. With that baseline established, they can make a list of the pros and cons of either program and estimate their respective costs and benefits.

Mr. Lenda stated that, based upon Lt. Bunnell's statement, the job is currently getting done. He felt that the Committee should determine the advantages and disadvantages of each situation by determining if the job is getting done today under its current manpower with minimal stress to ensure the safety of the officers and the public, what they are paying for, what the RST program provides to the Town, and what is missing so that the system can work better. Councilor May added that they could, then, determine the optimal police department staffing levels and material costs.

Mr. Buebendorf reiterated the importance of comparing the cost differential between two comparable programs. Comparing the police department today with a preferred model of an independent police force would not be a true and equal comparison. In addition, the proposed increase by the State for the RST program should also be considered in their analysis.

Mr. dePasquale stated that, ultimately, the public's concern will boil down to how much the program will cost and the resulting tax increase. Discussion ensued regarding the State budget vs. Town budget. In response to Councilor May, Mr. dePasquale stated that you cannot contract different services from the State, but that the fees are different. For example, by contract, East Lyme has 23 officers, pay \$150,000.00 plus 100% overtime and fringe benefits while Ledyard has 20 full-time officers, pay \$140,000.00, but does not pay any overtime. Mr. Buebendorf added that the OLR states that the rate for a RST is fixed by law and is the same for all towns, except in cases where the RST is in a different pay grade, i.e. a trooper would have a different pay rate from a sergeant. Mr. Lenda agreed that having a more experienced officer in towns such as Ledyard or Montville was a benefit to the town it serves. Lt. Bunnell added that they will bring in troopers through their overtime fund for special assignments, adverse weather conditions, and special events for extra help. The current contract requires only two total officers per shift; the department has taken it upon themselves to recognize the necessity for additional coverage.

Both Stonington and Clinton were deemed comparable towns.

Councilor May questioned what are the services that they will need to either replace or add to their list should they go independent.

Sgt. Smith recommended they invite those from other independent police departments to for a first-hand discussion on their inner workings and/or visit them for a tour of their facility rather than having him research the information for them. Mr. Bucko added that Lt. Bunnell had arranged tours for the Public Safety Building Committee to visit seven (7) police departments in Connecticut, Massachusetts, and Rhode Island, which were very informative.

Mr. dePasquale offered to extend an invitation to the Former Police Chief of Clinton, who also worked with the State Police and continues to work with the law enforcement community, and/or a retired State Police Sergeant and current Police Commissioner for the town of Windsor Locks to come speak with them.

Motion made by Mr. Bucko, seconded by Mr. Buebendorf, to contact both individuals. Discussion: Councilor May and Mr. Buebendorf recommended planning a schedule. Chairman Pike agreed. Voice vote, 7-0, all in favor. Motion passed.

In response to Mr. Giffen, Mr. dePasquale stated that, currently, East Lyme has the largest police department in terms of staffing, though at the time of the Almont report, Montville had the largest police department. The MPD is budgeted for 23 officers and currently has 19 officers; it takes well over a year to replace an officer. Mr. Giffen also suggested inviting the Public Safety Commission for discussion.

Lt. Bunnell and Resident State Trooper Sgt. Smith agreed to provide the Committee with a presentation at their next meeting on Tuesday, October 7 at 6:30 p.m. Mr. dePasquale will reach out to both the Joseph Faughnan, former Chief of Police in Clinton, and James Gaylord, Commissioner of Windsor Locks, to check their availability for following meetings. Lt. Bunnell also suggested inviting J. Darren Stewart, Chief of Police in Stonington. Each will be requested to provide a presentation regarding how they run their department. Mr. Bucko added that their questions can also be posed to the speakers.

In response to Lt. Bunnell's request for a more definitive explanation of their needs from him, the answers to the following questions were requested:

- 1) Creating a listing of their needs and requirements should the transition from the RST Program to an independent police force be made *today*. Not what they would like, ideally, but realistically based upon the department's current situation. (Mr. Buebendorf)
- 2) Illumination of section 4.3 of the Almont report regarding staffing. (Mr. Bucko)

- 3) The training and material costs and services which the State Police are currently handling and would need to be handled by the MPD should they transition to an independent police department. (Councilor May)
- 4) Services provided by the State through the RST program. (Mr. Buebendorf)

Councilor May reiterated his suggestion to vet out and hone the questions posed this evening.

In response to Mr. Giffen who questioned whether the PSC Chairman should be invited to discuss the Almont report and their thoughts, Chairman Pike felt that that he would first like to establish some baselines before meeting with them.

In response to Mr. Lenda's question regarding the authorization of the building and its facilities, Mr. Bucko stated that the Public Safety Building Committee based their approval of the plan and design of the facility through a review of each of the line items from the National Chief of Police report of a police department's requirements, tours of other facilities, and recommendations made by the architect who had designed 43 other such structures. Lt. Bunnell stated that, in addition, space assessment studies were conducted based upon the future needs of the department. Based on the continued trend in price for the RST program and the department's possible independence, the additional facilities were included and viewed as cost beneficial as they planned for the future. Mr. Bucko added that they had valued out a number of features including the impound lot, having a green building, a basement, and plantings bringing the cost down to \$301.00/square foot. Lt. Bunnell added that the building also included a long-range plan. Mr. Bucko further added that the facility also abides by the State of CT Emergency Preparedness Plan, which recommends providing accommodation for approximately 100 parking spaces, as well as other such specifications.

8. New Business — none.
9. Remarks from the Public with a three-minute limit — none.
10. Remarks from the Committee Members — none.
11. Adjournment
Motion made by Mr. dePasquale, seconded by Mr. Giffen, to adjourn the meeting at 7:55 p.m.
Discussion: None. Voice vote, 7-0, all in favor. Meeting adjourned.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Montville