

Town of Montville Town Council
Public Hearing Agenda for Thursday, January 14, 2016
6:00 p.m. – Montville High School – Auditorium

AMENDED 01/11/2016

1. Call to Order
2. Pledge of Allegiance followed by a moment of silence in honor of our military.
3. Roll Call
4. Public Hearing

TOWN OF MONTVILLE
NOTICE OF ORDINANCE HEARING

The following Ordinance, copies of which may be obtained at the office of the Town Clerk during office hours, was introduced at a regular meeting of the Town Council held December 14, 2015 and a public hearing thereon and for its consideration by the Town Council will be held at Montville High School Auditorium, January 14, 2016 at 6:00 P.M.

Ordinance Establishing the Montville Police Department

The Town of Montville hereby ordains, that:

Section 1. Police Department Established and Police Department Functions

- (a) Pursuant to powers given the Town of Montville by the Connecticut General Statutes, including without limitation by C.G.S. § 7-148(c)(4)(A), and powers given the Town Council by the Charter, there is to be established hereby an Administrative Department of the Town of Montville to be known as the Police Department (“Department”). The head of the Department shall be the Chief of Police (“Chief”), who shall be a Department Head per Charter § 408. .
- (b) The Department shall have the authority to perform all functions and take all actions that an organized municipal police department in the State of Connecticut is allowed by federal and state law to perform and take and generally shall provide for police protection, and perform criminal law enforcement activities within the limits of the Town of Montville and, to the extent allowed by state and federal law, outside its limits. Without diminishing the foregoing, the rights and duties of the Department shall include:
 - (i) Crime Prevention – The Department shall preserve the public peace, prevent crime, detect and arrest offenders, protect the rights of persons and property, and enforce the laws of the State of Connecticut and where appropriate the ordinances and regulations of the Town of Montville;
 - (ii) Traffic Enforcement – The Department shall administer and enforce laws regulating, directing, and controlling the movement of vehicular and pedestrian traffic;
 - (iii) Training – The Department shall operate training programs to maintain and improve the efficiency and competency of the employees of the Department;

- (iv) Weapons Disposition – The Department shall establish a procedure for the sale, destruction, or other disposition of all weapons or other articles used in the commission of crime or coming into the custody of the Department, in accordance with the requirements of state and federal law; and
- (vi) Lost Property – The Department shall establish and implement a procedure for the sale of unclaimed, lost or stolen articles coming into the custody of the Department
- (c) Police Officers shall have the powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in peace officers by federal and state law, including without limitation by C.G.S. §§ 53a-3(9) and 54-1f.

Section 2. Chief of Police

- (a) Appointment. There is hereby created the non-classified position of Chief of Police. The Chief shall be appointed in accordance with the provisions of the Town Charter, and need not be a resident of the Town of Montville.
- (b) Powers and Duties. The Chief of Police shall be accountable to and under the supervision of the Mayor, and shall perform duties including but not limited to:
 - (i) Having general management and supervision of the Department and of the property and equipment used in connection therewith, in accordance with policies or procedures of the Public Safety Commission and/or the Police Department, and consistent with all requirements of federal and state law;
 - (ii) Prescribing rules and regulations not inconsistent with the administrative policy created pursuant to Charter § 408 as the Chief deems necessary or expedient for the proper operation of the Department and, to that end, keeping informed of the latest administrative practices;
 - (iii) Initiating and implementing a continuing program for instruction and training of Department personnel;
 - (iv) Having general authority and control over all Department employees and overseeing scheduling, assignments, and proper fulfillment of all assignments, tasks, and duties of the Department;
 - (v) Within the powers granted to Town of Montville Department Heads by the Charter, and pursuant to the General Statutes and any Collective Bargaining Agreement between the Town of Montville and AFSCME, Council #4, Local #2504, and under state and federal law, taking all personnel actions the Chief deems appropriate including without limitation assigning and reassigning personnel, supervising personnel, imposing discipline, and making recommendations for hiring;
 - (vi) Developing and implementing a system to maintain and preserve records with respect to law enforcement and other activities of the Department and its personnel;

- (vii) Reporting on the operation and affairs of the Department to the Public Safety Commission, the Mayor and the Town Council at such intervals, as each shall require; and
- (viii) Working with the Public Safety Commission to prepare the Police Department's annual budget for submission to the Director of Finance pursuant to Charter § 408.
- (c) The Chief may be assisted in the execution and performance of his/her management duties by non-union personnel including, but not limited to, Assistant or Deputy Chiefs and Captains.
- (d) Removal of Police Chief. Dismissal of the Chief shall be pursuant to the provisions C.G.S. § 7-278.

Section 3. Effective Date

- (a) The effective date of this Ordinance shall be as provided in Charter § 312(C), however, the existing department shall not be abolished and the Police Department created by this Ordinance shall not come into existence until the day on which the person appointed Police Chief is sworn into office.
 - (i) On the day the Chief is sworn in the existing police department shall cease to exist and its employees and officers shall be at that time be employees of the Police Department created by this Ordinance.

Dated at Montville, Connecticut this 15th day of December 2015.

Lisa Terry
Montville Town Clerk

5. Adjournment