

Town of Montville
Montville Law Enforcement Feasibility Committee
Meeting Minutes for Tuesday, November 4, 2014
6:30 p.m. – Room 203 – Montville Town Hall

1. Call to Order

Chairman Pike called the meeting to order at 6:32 p.m.

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. Presentations

a. J. Darren Stewart, Chief of Police, Stonington

Chairman Pike thanked Chief Stewart for accepting their invitation and introduced him to the Committee Members and stated their charge.

Chief Stewart introduced himself, stating that he has worked in law enforcement for 32 years, beginning with the State Police when he was 18 years of age including working undercover for two years. Thirty-one of his 32 years has been with the Town of Stonington, where he has worked his way up the ranks and has been the Chief of Police for the past seven (7) years. He also has three college degrees, one of which is an MBA. He currently teaches a graduate course at Salve Regina University, is President of the Law Enforcement Council of Eastern Connecticut, and is a member of the CT Police Chief Association Board of Directors where he is currently in charge of their Municipal Liaison Committee.

He stated the difficulty of comparing any two towns, but provided an idea the constant challenges he faces with manpower and budgetary issues and keeping up with technology. It is difficult to assess the number of necessary officers with the needs of the community. There are never too many officers. Such things as large buildings, low-income or troubled housing, school issues, number of bars, hotels, transient population, number of businesses, and number of medical calls need to be taken into consideration as they all play an important factor in the amount of manpower required for the department to serve a community. In contrast to the State Police who will not answer certain types of calls, Stonington has adopted the motto, “No Call too Small”, meaning that all calls are eventually responded to by officers. He added that police officers are usually the first people on the scene leading him to have each of the officers maintain their MRT (Medical Response Technician) training. As the result, of the 180 – 240 medical calls they receive each month, the officers have been credited with saving 1-3 lives per year. It is a huge public service area that is sometimes forgotten and many police departments do not offer.

While the FBI recommends 2.5 officers per 1,000 individuals, Stonington currently has approximately 2 full-time officers per 1,000 individuals with 36 full-time officers serving a community of 18,000. With the addition of approximately three million visitors to Mystic annually and 56 special events, they are constantly and desperately behind. In addition, as personnel is increased, they will never achieve their ideal number of officers on patrol as they may have 36 officers, but due to illnesses, retirements, injuries, training requirements, and the like, the force is rarely, if ever, at full strength. His current scheduling is:

Day shift:	6 (six) officers assigned, but usually 4 (four) are working
Second shift (busiest):	8-11 officers Note: Most law enforcement officers are killed in the line of duty from 6:00 p.m. to 2:00 a.m.
Floater shift:	Comprised of those who are readily available to cover other shifts, provided advance notice is given
Friday & Saturday nights, 7:00pm – 3:00am:	Primarily accommodates the bar crowd coming in from RI; Canine Officer often works these shifts

A transient population is accommodated by 1,300 hotel rooms, which are, on average, 70% at capacity. They provide a police presence at two of the approximately 23 bars, which have been troublesome, to avoid any altercations. Montville, in comparison, has approximately 6 bars.

Currently, they are budgeted for \$20,000.00 at approximately \$26.00/hour for four (4) part-time police officers. These Reserve Officers, comprised of retired officers, cover the Town's special events, including the Walks, Road Races, Festivals, and Tastings, and community policing such as conducting rounds at the local schools. In addition, he has monthly meetings with the Superintendent of Schools, Catholic School Headmaster, and the Catholic School Principal to discuss police presence in the schools. These meetings and their efforts have helped to improve the police department's relationship with the schools and the community as a whole.

Understanding the need to rely upon each other, the Department also has an outstanding relationship with and often receives assistance from and provides assistance to the State Police, many of who live in the community, themselves. Should a call of a serious nature come in, the FBI agents, NCIS, Troopers, and all necessary parties who reside in the area will receive a text message so that they are aware of any large incidents occurring at that time. Should a call for a minor incident come in and there is a shortage of officers, the supervisor on duty has the authority to call in an officer(s) from the next shift. Should there be a major incident, police officers from both the State and neighboring towns will respond

without question/invitation. In his experience, there have never been any incidences where the State refused to respond.

The detention center or temporary holding facility is equipped with cameras and the prisoner(s) are detained behind Plexiglas doors, helping to avoid any self-inflicted injuries. When the prisoner is brought in, there is the arresting officer, dispatcher, and a supervisor present. Should the prisoner pose a danger to him/herself and/or others, he/she will be transported to the hospital. It takes approximately two hours to process a prisoner, more should they be transported to the hospital. During these situations, they are short that officer(s) and, if necessary, an officer scheduled for the next shift will be called.

An independent police department should contain a Chief and a second in command, i.e., a Deputy Chief or Captain, both of whom are excluded from the union and can act as the designated second in command. There are some departments that do not have a second in command. In smaller departments, the Captain and/or Chief will fulfill additional duties, including FOI requests and reviews, which includes reports on accidents, disturbances, assaults, etc. Oftentimes, the Town Attorney is called upon for advice regarding the handling of some FOI requests. While an attorney specializing in such issues is not required, he/she should have some familiarity. He also instituted a FOI policy and system outlining the releasing of information and filing of FOIs due to the sensitivity of some of the information requested. They have four (4) business days (or more, if necessary) to fulfill the requests. Accident reports, by statute, are simple and very little, if anything, is redacted. Medical reports are more sensitive and are, sometimes, referred to the attorney for further review. The attorney is consulted two to three times a year. For large FOI requests, a fee, agreed upon by the department and the attorney, is sometimes charged. Reports for FOI requests in Montville are conducted by the State while the in-house comments are done by the police department.

He currently has three (3) full-time Secretaries, one of who works for him and two who work in records and all of who are interchangeable and are sufficient. His Secretary handles the bills, overtime, helps keep the budget in line, hiring, coordination of letters, and will also help out in records, when slow or necessary.

Chief Stewart stated that he, as Chief of Police, is required to undergo the same training as required by an officer. In addition, he is required to attend the John Bailey Memorial Law Update. He recommends that all Chiefs join the International Association of Chiefs of Police and attend their annual conference, where the latest in technology and a multitude of ideas are presented. He stressed the importance of embracing innovation and avoiding stagnation, though admittedly, due to financial constraints, they are unable to keep up with the current technologies.

Stonington's impound lot houses three to four vehicles at any given time. Currently, there are 12 vehicles being housed. An impound lot is, simply put, a lot with a fence and a camera. The proposed impound lot at Montville's Public Safety Building measured

approximately 80' x 140' and had the capacity to house up to 55 vehicles. Due to its location, additional items, such as an underground oil separator would be required. Currently, the vehicles are housed at the State's impound lot and the Town is restricted as to the number of vehicles. At any given time, Lt. Bunnell estimates that there are two vehicles being housed. In addition, currently, those involved in fatal incidents are now considered the Troop's vehicles. Vehicles do not remain in the lot for an extended period of time unless it is involved in a major incident. A vehicle is in the impound lot for no longer than two months. For the record, Mr. Bucko stated that the impound lot was incorporated into the original design of the building, but keeping the budget in mind, the impound lot, along with other items, were valued out.

Items mandated by the State for which they are not compensated include the issuing of pistol permits. Currently, he has one officer assigned to the duty of investigating permit requests. In addition, a Violent Offender Registry, similar to the Sex Offender Registry, of those who, after 2012 have an arrest record for a crime involving a weapon and causing injury, have (re-)entered into the community will also need to be reviewed.

Currently, the Department has a Detective Sergeant, one main Detective, who works on major crimes, one Detective who works on accident reconstruction and pistol permitting, and a Youth Officer. Detectives are on a 5/2 schedule, whereas Patrol Officers are on a 4/2 schedule. Per the union contract, the Detectives cannot provide coverage as a Patrol Officer should they be short. As such, the positions are not interchangeable.

The numbers of assigned and unassigned vehicles are reviewed on a regular basis. Vehicles are recommended for replacement once it reaches approximately 100,000 miles and car(s) are purchased annually. Unassigned vehicles are prone to receiving more wear and tear than assigned vehicles. Currently, they have 22 vehicles for the 36 officers, excluding his. Oftentimes, they are short.

A large amount of their income revenue derives from road construction jobs. At a rate of \$25.00/hour plus 3% administrative costs, last year alone, they received approximately \$117,000.00. Additional income is derived from alarm registration fees, parking tickets, pistol permits, infractions as well as road races and events, gas and sewer lines. The revenue is placed into the Town's General Fund. Montville currently charges \$15.00/hour plus 28% administrative fees. The revenue for such jobs derives primarily from the utility companies and, sometimes, contractors, e.g., the recent bridge work on Route 163. They budget approximately \$150,000.00 a year for extra-duty pay, which includes the cost of an officer covering his/her salary of approximately \$42.00/hour plus administrative and cruiser costs.

All overtime is carefully watched and tracked in terms of the funds available at that given time within the fiscal year and planned accordingly. The annual rate for raises and the overtime budget are increased in accordance with each other. If the department is understaffed, overtime will begin to hemorrhage. His total budget for overtime is approximately \$240,000.00.

Chief Stewart stated that, from his experience, one of the disadvantages of an RST Program is that the RST may not maintain his position in the town he is serving for an extended period of time. Oftentimes, good RSTs are promoted. It can also be a daunting task for a State Police Sergeant to be placed in the position of being a Police Chief of a town. He also felt that an RST has less accountability, compared to himself who is accountable to the Police Commission. The Police Commission is an autonomous group that is appointed every five years and handles all of the bartering and hiring for the department. In contrast, Montville's PSC can only make recommendations.

Councilor May expressed his appreciation to Chief Stewart and exited the meeting at 7:37 p.m.

The South Central Law Enforcement Council, an organization similar to the LEC (Law Enforcement Council) of Eastern Connecticut, provides a range of salary of \$89,000.00 - \$150,000.00 for a Police Chief. In order to determine an adequate salary level for the Chief, one must look at the salaries of the Lieutenant and/or Captain. In addition, there are other benefits to consider, including a car and benefits. Different people have different motivations and the worth of the individual must also be taken into consideration. For a town the size of Montville, he felt that a salary of \$105,000.00 - \$110,000.00 would be adequate.

The starting salary for a Patrol Officer is \$52,000.00. Every year for the first five years a Patrol Officer is given a step increase. After ten years, he/she becomes a Patrol First Class Officer receiving a salary of \$70,000.00. Longevity is also factored into the salaries. Educational allowances and holiday pay are among the benefits they receive. A Detective may work 17 additional days a year, but will have the weekends off. In Montville, there are five steps and annual contractual raises are offered. In addition, the officer is bound by a three-year contractual commitment to the Montville PD.

While it is a bonus, he also feels that, also, depending upon the individual, there may or may not be advantages for the Chief to attend the FBI Academy. He does not view it as a requirement. Commissioner DePasquale, a graduate of the FBI Academy, stated that there are five goal areas from which they ask you to select courses. College credits are given to the students depending upon the classes. Those with a Bachelor's degree are encouraged to take graduate level courses. He agreed that, while it is a great place to go, it is not necessary.

Should it be decided to have an independent police department, Montville may receive assistance from the CT Police Chiefs Association (CPCA) and the LEC in their search for prospective candidates for the Police Chief position. Cost considerations for such an endeavor would include the upkeep of the new building, which is already outdated, staffing, impound lot, FOI requests, potential attorney fees, cameras and personnel for the detention area, and communication, including radios and dispatching.

He outlined his calls for service in 2013, adding that some days the number of officers is sufficient, while other days, it is not. Calls for service included: 12,190 miscellaneous calls (nuisances, 911 hang-ups, suspicious vehicles, escorts, animal control, alarms, school

checks, storm-related, accidents, motor vehicle stops, etc.); 657 accidents, one fatal; 578 summonses; 57 DWIs; 1,676 motor vehicle stops; 1,969 reported criminal offences, 549 leading to arrests, and; 119 assaults. Should his department have the 45 officers on staff as recommended by the FBI, they would be able to do things they are not currently conducting creating a safer environment for both the officers and the residents.

Call triggers, including specific locations and/or times of day, should be reviewed and, possibly, "Hot Spot Policing" should take place. For example, the Branford Police Department increased the number of officers on one strip along Route 1 that was identified as having a high number of accidents due to red light violations and injuries caused by no seat belts thereby reducing the number of accidents in the area by 80%.

He noted that it could be difficult for a town to do business with both an RST Program and a police department. It would be important for the Committee to point out the strengths and weaknesses of the town, itself, when determining the right formula for the town in terms of its staffing needs.

In terms of scheduling, minimum staffing includes one Sergeant, three Patrol Officers (one each for Mystic, Stonington, Pawcatuck), and one Dispatcher. The day shift includes one Lieutenant. Second shift includes one Lieutenant, five days a week with staggered schedules so that Saturdays and Sundays are always staffed with a Lieutenant. In addition, two detectives are on duty. He also has the floater shift. While in Montville, the Sergeant does interchange with patrol functions, the Sergeants serving Stonington may, sometimes, take on patrol duties, but they do not fill in for patrol officers. Chairman Pike clarified that the detectives fill in only in cases where overtime is necessary and emergencies. By contract, the schedule is released to the officers eight-weeks in advance.

His most daunting task as the Chief of Police is the keeping of good people on the street rather than bad people. Due to budgetary constraints and union negotiations, every year is a bad year. The total budget for the Department is \$4.5 million and includes five (5) crossing guards, four (4) part-time Community Service Officers, and seven (7) dispatchers. Montville's budget is \$2 million. As a Police Chief, he also attends public/social events.

In addition to the Police Department, the dispatchers handle calls for seven (7) fire departments, three (3) ambulances. He works with the Fire Chiefs to maintain an effective dispatch service. Dispatching is under the Police Department as the majority of calls are police-related. An average of one to two dispatchers are on duty at any given shift. The dispatchers must deal with issues regarding pursuits and held to standards of confidentiality. As such, he prefers not to outsource dispatching.

Chief Stewart will provide a copy of the list of calls for service and the budget for the Committee to review and compare.

Lt. Bunnell stated that he and the Sergeant's recommendations regarding staffing, clerical, operations, facilities, equipment is equivalent to Stonington's and felt that his presentation should help the Committee create a comprehensive report and arrive at an informed decision.

Chief Stewart added the need to compare total numbers per year when comparing work schedules. Currently, Montville's shifts are 9.1 hours/day. In addition, the 5/3 schedule was created so as to enable an officer to be out on the road in preparation for the next shift. Shifts are also staggered for the same purpose. Commissioner DePasquale added that the work schedule cannot be simply changed as it is a union and contractual issue that must be negotiated.

While the Chief does not have a lot of power financially, he can push for changes operationally. With regards to re-negotiating the union contract, Chief Stewart stated that, once the Town is in a contract, it is difficult to re-negotiate it until it has expired.

With all due respect, Commissioner DePasquale informed him that he has requested Pamela Hayes of the CPCA to contact Chief Fuchs, whose department underwent a similar transition, to come and speak with the Committee.

Chief Stewart extended an invitation to the Committee to visit the Stonington Police Department.

Chairman Pike and the Committee Members extended their appreciation to Chief Stewart, who is open to answering any additional questions they might have as well as providing a tour of their facilities and/or speaking with them again, possibly, with additional member(s) of his staff. He stated the importance of creating a safe environment for their officers and residents. It is a dangerous job, which needs to be made as safe as possible given the right tools and creating a better community for all.

5. Alterations to the Agenda — none.
6. Approval of the Regular Meeting Minutes of October 28, 2014
Motion made by Mr. Giffen. Discussion: Mr. Buebendorf noted that the date in the header should read October 28, 2014. Motion made by Mr. Giffen, seconded by Mr. Bucko, to accept the minutes as amended. Voice vote, 7-0, all in favor. Motion passed
7. Remarks from the public relating to matters on the agenda with a three-minute limit — none.
8. Unfinished Business
 - a. Review of previous independent Police Department studies and reports — tabled.
 - b. Status and scheduling of the following presentations:
 - 1) Douglas S. Fuchs, Chief of Police, Redding -
Commissioner DePasquale will invite Chief Fuchs to make a presentation to the Committee on either December 2 or 16.

- 2) Terry Hart, Finance Director for the Town of Montville -
Chairman Pike will invite Finance Director Hart to their next meeting on November 18.
- 3) Public Safety Commission, Town of Montville
Mr. Giffen stated that he would like to meet with the Commission to speak about their opinions on the Police Department and the Almont Study, any recommendations they might have, and their thoughts regarding what they feel is an adequate amount of officers. Mr. Lenda stated that the Commission has provided recommendations in the past regarding increasing the number of officers and was unsure as to whether the staffing issue(s) was relevant to their charge. He felt that the Committee may be spending too much time investigating and that it is now time to move forward. Commissioner DePasquale stated that, contrary to the Stonington's Board of Police Commissioners, the Public Safety Commission, which exists by charter, lacks any autonomy and, while they can make recommendations, they have no real power to make any changes. It was clarified that the PSC recommended an additional three officers during the most recent budget hearings. That recommendation was denied and the department did not receive any. Discussion ensued regarding the department's current need for an increase in the number of officers for the safety of both the public and the police department and the additional increase in officers that would be necessary for an independent police department and how the issue should be presented. During budget season, Chairman Pike explained that the Finance Committee will meet with the Mayor and decisions are made on the budget. Any of these decisions can be re-introduced to the Town Council and be overridden by a 5-2 vote. Mr. Giffen stated that the Chairman, if not the Committee, should be invited so that both the Commission and the Committee are in agreement with their recommendations. Commissioner DePasquale and Mr. Buebendorf agreed for the need to invite the Commission. Chairman Pike stated that they will plan on inviting and sharing their findings with the Commission when they are ready.

In accordance to their charge, Mr. Bucko questioned who would be generating the report for the Committee. Chairman Pike reiterated his suggestion of creating a bulletized PowerPoint presentation that is simple, clean, concise, and easily digestible by the public. Mr. Buebendorf agreed that, while a PowerPoint presentation would be a great way to present their findings, a written report that can be distributed should also be created. Mr. Giffen, seeing no reason to "reinvent the wheel" and avoiding any redundancy, recommended creating an executive summary, referencing the Almont Study as a Schedule A along with any additional findings. Chairman Pike stated that his intent is to include a narrative, but recommended it be kept short and at a minimum amount of pages. Though the length of the final report will be based upon their findings, it was agreed that the report should be concise. As suggested by Mr. Buebendorf, Mr. Lenda recommended they begin creating and documenting their findings so that the materials and discussions are not lost in the process.

c. Discussion regarding promoting MLEFC meetings

While Chairman Pike agrees with the promotion of their findings, he felt that the promotion of the meetings was unnecessary as the public appears generally disinterested in (attending) public meetings. The meetings are published and, as such, the public is informed and invited to the meetings. Commissioner DePasquale felt that the issue, because it is a public safety matter that will result in a tax increase and is one in which the citizens might be voting on, should be further publicized. He felt that the public should be informed if not better informed. Mr. Lenda agreed, using the marketing of the Public Safety Building as an example and added that, at the least, the press should be invited and articles be requested. Mr. Giffen felt that the issue should be presented at a Town meeting once their report is finalized rather than encouraging the public to attend their regular meetings. Mr. Buebendorf agreed that, once their findings can be better articulated, a presentation should be made to the public so that they can make an informed decision. Commissioner DePasquale stated that the general public is unaware of the existence of these meetings adding that, after speaking with a number of officers, the current Police Department is not in favor of an independent police department. Chairman Pike stated that he would speak with the Mayor regarding conducting informational session(s) and publishing these events in *The Day*, *Norwich Bulletin*, and the *Montville Patch* when the Committee is ready to do so.

9. New Business — none.

10. Remarks from the Public with a three-minute limit

Lt. Bunnell reported that the issue regarding the impound lot may soon be resolved as the Mayor has received a verbal commitment from the State of CT for the use of the Department of Transportation's (DOT) garage for cold storage and impound lot. The lot will require the installation of the proper wiring, fencing, and cameras. There will be no cost to the Town for the property. He felt that Chief Stewart's recommendation for a governing body of police commissioners is a positive recommendation that should be taken into consideration. Another issue the Committee should explore is the upgrading of the radio system and its respective costs. The cost to the Town to upgrade its present system to coincide with that of the State is approximately \$80,000.00 for the portable and mobile units. Decisions will need to be made soon as to whether the Town will commit themselves to the upgrade or maintain their current system. Recent upgrades to the Chapel Hill Tower have noticeably increased reception and transmission. He added that the number of patrol officers, as stated by Chief Stewart, is, relatively, in line with the number of officers both Sgt. Smith and himself are suggesting.

In response to Mr. Buebendorf, Lt. Bunnell clarified that funds would also need to be appropriated should they decide to stay with the current radio system and is unsure as to the costs of or to the radio system that would be necessary for use by an independent police force. The proposed regionalized dispatch center is approximately 450 MHz while the

system in Montville is, at high band, about 150MHz. Each of the towns will be bringing in their own systems. It was further clarified that the integration of our system with that of KX Communications, should dispatching become regionalized, will be necessary so that, either way, the system will require an upgrade.

11. Remarks from the Committee Members — none.

12. Adjournment

Motion made by Mr. DePasquale, seconded by Mr. Buebendorf, to adjourn the meeting at 9:29 p.m. Voice vote, 6-0, all in favor. Meeting adjourned.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Montville