

Town of Montville Town Council/Public Safety Commission
Joint Special Meeting Minutes
Tuesday, December 1, 2015 – 6:00 p.m.
Montville Town Hall – Town Council Chambers

1. Call to Order

Chairman Jaskiewicz called the meeting to order at 6:00 p.m.

2. Pledge of Allegiance followed by a moment of silence in honor of our military

3. Roll Call

Town Council: Present were Councilors Caron, Jaskiewicz, Longton, May, Rogulski, and Tanner. Absent was Councilor Pollard.

Public Safety Commission: Present were Commissioners Joseph DePasquale, David Jetmore, James Moran, and Karen Perkins. Absent were Commissioners Elizabeth Adams, and Gary Allyn.

Also present was Mayor Ron McDaniel.

4. Presentation

a. Presentation by the Montville Law Enforcement Feasibility Committee (MLEFC)

Chairman Jaskiewicz stated that, following this evening's presentation, an Ordinance will be prepared and a Public Hearing will be scheduled to discuss the Ordinance. The Town Council will, then, vote upon the Ordinance at their regularly scheduled meeting. He requested that the public and Town Council hold their questions and/or comments until the end of the presentation.

MLEFC Chairman Wills Pike thanked Mayor McDaniel, Chairman Jaskiewicz, and the Town Council and introduced the members of the Committee — Co-Chairman William Bucko, Jeffrey Buebendorf, Robert Giffen, Victor Lenda, Town Council Liaison Tim May, and Public Safety Commission (PSC) Liaison Joseph DePasquale — with whom he proudly served. He recited the Committee's Charge (Resolution #2014-37).

MLEFC Co-Chairman Bucko provided a brief overview of the **Public Safety Building**, a key component of the Committee's report. A resident of Uncasville since 1966 with a background in construction management, Mr. Bucko served as the Co-Chairperson during the pre-construction and construction phases of the 17,194 square foot Public Safety Complex, which held its official Ribbon Cutting Ceremony on January 12, 2013. The Committee, formed in July 2008, visited newly constructed Public Safety Buildings located in Connecticut, Rhode Island, and Massachusetts and visited with their respective Chiefs of Police and Administrators, who provided the Committee with a knowledge base, which they, then, utilized to develop their own needs assessment, within their budgetary restrictions. All of the individuals they spoke with emphatically advised the Committee to ensure that the final complex be large enough to serve the growing Town for up to 40 years and to design and build the facility for future use as an Independent Police Department, which would require space for prisoner processing, holding and booking areas, prisoner cells, evidence lab and storage, interview rooms, and a two-bay sally port. A modern facility, the Public Safety Building fully meets all of the requirements for the incorporation of an Independent Police Force (IPF) and is a testament to the citizens of the Montville who favorably cast their ballots.

MLEFC Chairman Pike stated that the Committee first met in September 2014. The guiding principal of the Committee is, first and foremost, the safety and protection of the general public and the officers of the police force. Though not part of their charge and at the request of the Town Council Chair, the Committee provided their recommendation and unanimously voted to recommend the establishment of a

statutorily recognized organized Police Department, managed by a qualified Chief of Police. The decision derived from extensive research, interviews, reviews of the real-time dynamics of the current police department, the current Resident State Trooper (RST) contract, and the like. On behalf of the members of the Committee, he expressed his appreciation to those who provided their input and assistance leading to the preparation of their final report. He especially thanked Montville Police Department Lieutenant Leonard Bunnell and the respective Resident State Troopers who attended all of Committee's meetings. Numerous reports have been conducted in the Town regarding the formation of an independent police force since 1999, the most comprehensive of which is the Almont Associates' 2012 Public Safety Plan. The Committee strived to ensure that they maintained their objectivity, reviewed the materials without bias, and thoroughly covered the topic. As stated in the report, the three Chiefs of Police who were interviewed and all but one of the previous studies recommended the conversion to an independent police force. In addition, members of the CT State Police indicated that their department would offer assistance to the Town no matter which direction they chose.

The Report includes two sets of **cost assumptions and budget projections** (RST Program and an IPF), which were compiled by Committee Members Giffen and Buebendorf in conjunction with the Town's Finance Director. With the exception of dispatching, which is currently not under the budget of the police department, the budgets include actual numbers, based upon projected changes. The Town currently pays 85% of the Trooper's salary (up from 70%) and 100% of his/her fringe benefits. While the current RST contract allows for a 30-day cease and desist period, CT State Police Eastern District Major Darcy ensured the Committee that the Department would work with the Town and remain flexible in their timing should they opt to establish an independent police force. Two one-time capital expenditures include the Radios (for RST) and Vehicle Retention Area (for IPF). Currently, the Department utilizes two sets of radios, one of which communicates with the State Police and the other of which allows them to communicate within the Town. Should they opt to remain with the RST Program, by mid-2016, the Town will be required to upgrade their State Police radios for an estimated cost of \$180,000.00. Should they opt to establish an IPF, the Town will need to construct a vehicle retention area to house up to six vehicles at the Public Safety Facility. The estimated cost of \$60,000.00 includes the cost of the fencing, lighting, security monitors, and an oil water separator and was derived at by the Town Engineer. Under the RST Program, such vehicles are currently stored at the State Police Barracks.

Committee Member Lenda provided a brief summary of the **current and proposed staffing** for an IPF. Retired in 2009, Committee Member Lenda served on the State Police force for 29 years as well as serving as a part-time officer in Montville from 1977 to 1980. Having served as an RST in the towns of Colchester, East Lyme, and North Stonington, he is a supporter of the program, which provides a number of services and supplements a local force and provides police coverage to those towns without a police force. While the Program has worked very well in Montville, the Town, like East Lyme and Ledyard, has outgrown the Program and become difficult to manage, resulting in two sets of rules and regulations and procedures they must follow, in addition to union issues. When the Committee was formed, the Town was budgeted for 23 Officers and had 19 members or, in actuality, 16 working members, including the Lieutenant and RST, at any given time due to sick time and injuries. Two Officers have since attended the Academy and have graduated, raising the number to 21 Officers. Since then, the Town Council approved the hiring of three (3) additional officers, raising the number of budgeted Officers to 26 for the 2015-2016 fiscal year. The Committee reviewed various staffing proposals for an IPF and the selected

proposal, included in their Final Report, proposes a total of 29 Sworn Officers, including the Chief of Police. While the proposal is smaller than the staffing levels of Stonington and Waterford, both of which are geographically comparable, both himself and PSC Liaison DePasquale are comfortable with the proposed staffing level. The proposal also includes a 5/3 (five days on, three days off) schedule, allowing for sufficient overlaps during the week for additional investigations, hotspot patrols, vacation days, etc.

MLEFC Chairman Pike summarized that the Town is currently budgeted for 26 Officers and their proposal proposes an increase of two (2) Officers and a Chief of Police, who would replace the RST. As previously stated, the Town is currently paying 85% of the Trooper's salary and the cost is expected to rise to 100% in the very near future. Per the Cost Assumptions for RST (Appendix B), \$175,000.00 for the salary and \$20,000 for overtime costs, totaling \$195,000.00, is being allocated for payment to the State. In comparison, a Chief of Police, working for and dedicated to the Town, can be hired for, comfortably, \$115,000.00 to \$120,000.00, many of whom may not require benefits, especially should the individual be a retiree. MLEFC Chairman Pike reviewed the Analysis of the **Advantages and Disadvantages** (Appendix A), which were compiled by Committee Members Buebendorf and Giffen and includes the following categories: Leadership, Facilities, Operations, Budget Impact, and Community Impact. In terms of Leadership, he stated that the Town has a high turnover rate of RSTs and a Chief of Police would provide a more stable environment for the officers, who are deserving of a dedicated Chief of Police. Not only is the cost of the RST Program expected to rise, it has also been rumored that the Program may be eliminated. Should this come to rise, the Town would be, unexpectedly, forced to establish an IPF. In such case, being proactive may work to their benefit. It was emphasized that the State Police would always be available to provide assistance for major crimes and incidents, whether the Town opts to stay with the RST Program or adopt an IPF. In terms of Facilities, MLEFC Chairman Pike encouraged everyone to tour the Public Safety Building, which is equipped with a booking area, holding cells, evidence lab and room, and interview rooms — all of which are not currently utilized under the RST Program.

With regards to Operations, the Police Department receives a wide range of calls for service and, as previously stated, the State Police would always be available to provide assistance for major crimes and incidents, whether the Town opts to stay with the RST Program or adopt an IPF. Committee Member Lenda clarified the issue regarding canine use, stating that, due to liability issues, a municipality under the RST Program must utilize the State Police Canine Units and, should a canine not be available at Troop E, a dog from a different Troop will need to be acquired, which often takes up valuable time. While the towns of Norwich and Ledyard may have dogs available for use at the time, due to the policy, they are not able to utilize them. An IPF would not be confronted with such an issue and the Town would be able to acquire their own dog and seek the necessary training or, if unavailable, seek the assistance of a canine unit from a neighboring town. He also clarified that, under the RST Program, the State Police is required to provide assistance to the Police Department if called upon. Should they have an IPF, the Mutual Aid Agreement would come into play and the Town may request the assistance of all available officers in neighboring Towns and the State Police to aid them in cases of major incidents.

Regarding the Budget and Community Impact, MLEFC Chairman Pike stated that, conceivably, the budget could be worked out such that the residents' taxes will not be negatively impacted. He emphasized the importance of each of the residents' knowing the Town's Chief of Police and that the amount of safety and security that that would

provide is immeasurable. In addition, Committee Member Lenda reported that, while grants are available to municipalities under the RST Program, including the seat belt and DUI enforcement grants, additional Federal and State Grants are available for IPFs to help supplement the cost of running the Department. For example, Stonington Police Chief Stewart recently received a \$375,000.00 Grant for the purchase of a Police Boat and a \$150,000.00 Grant for Downtown Policing in addition to Grants received for Domestic Violence, Intelligence Gathering License Plate Readers, and Cruisers. Redding Police Chief Fuchs estimates that they receive, on average, \$10,000.00 - \$12,000.00 in grants per year.

Committee Member Lenda presented a brief overview of the proposed **dispatching** department. Currently, all medical- and fire-related calls are handled by the Town's Dispatching Department in the Public Safety Building. Under the RST Program, all police dispatching is handled by the State Police at the Troop E Barracks. While the Committee agrees that a merger of existing and new dispatchers would be ideal, they opted to provide an estimate of the staffing and costs separate from the existing department since the current Police Department does not have a Dispatching Unit, the current Dispatch Center is not under the guise of the Police Department, and the requirement of acquiring dispatchers who are properly trained to handle police-related calls. Under Federal and State Regulations, an IPF requires the Dispatching Department to be under the helm of the Chief of Police due to the sensitivity of information that is provided. As such, the Committee proposes the hiring of a minimum of three (3) full-time dispatchers, working three shifts, 24/7 Monday through Friday and two (2) part-time dispatchers for the weekends and on-call. MLEFC Chairman Pike added that the numbers indicated in the budgetary portion of their Report are based on the current average rate of pay for dispatchers based on the information provided by the Finance Director. The Chief of Police may opt to change the staffing of the department. In summary, the difference between the RST Program and an IPF in 2018 is approximately \$272,000.00. However, by eliminating the radios (\$180,000.00), the difference is brought down to approximately \$90,000.00.

Committee Member DePasquale, who is entering into his 36th year in law enforcement, 32 of which he spent as a member of the Waterford Police Department, where he was the fourth in command before retiring in 2014, spoke on the following items:

- 1) As Committee Member Lenda stated, much of the available Federal and State Grant funding is only available to independently organized police departments.
- 2) With regards to the Dispatch Center, he stated that the Federal Government, specifically the FBI, controls the National Crime Information Center in the form of computers placed in any and all police departments. The existence of such a machine in the Dispatch Center would require it to be under the control of a sworn police officer, i.e., Chief of Police or Command Staff Member.
- 3) During their discussions, he came to the realization and felt it important to point out that those towns under the RST Program are paying for their RST twice, once in their State taxes (for a State Police Officer) and, again, in their Town taxes (for the Resident State Trooper).
- 4) He stated his concern with the hold harmless clause as stated in the RST contract, which states that, should an event occur in the Town of Montville, the Town would be responsible for and sued for any liabilities. As such, the Town is not free from any civil liability as part of the RST Program.
- 5) It is important to point out that the 85% of the salary and 100% of the fringe benefits for the RST incurred by RST Towns is a figure derived from the Office of Policy and Management, not the State Police.

Vice Chairman Bucko added that, due to the high cost of the original design of the Facility (approximately \$301.00/square foot), the Committee collectively decided to eliminate a full basement, plantings, and an impound lot from their original plans for the facility.

In conclusion, MLEFC Chairman Pike stated that the Committee feels that it is in the best interest of the Town to move forward to an IPF at this time and be proactive, taking advantage of their state-of-the-art Public Safety Facility and improving an already excellent police force. He thanked the Mayor, Chairman Jaskiewicz, and Town Councilors for entrusting the Committee Members with their charge, hopes that their Final Report meets their needs, and thanked his fellow Committee Members, Lt. Bunnell, Union Executive Board, Resident State Troopers, and their Minutes Clerk.

Realizing the Committee's time and effort, Chairman Jaskiewicz thanked him and the Committee for their work.

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

Jon Leonard, 24 Chestnut Hill Road, Uncasville, Full-time Dispatcher, Town of Montville, questioned whether the proposal calls for a total of five (5) dispatchers or the hiring of an additional five (5) dispatchers. Currently, the Department is staffed by three (3) full-time dispatchers with a 48-hour workweek, 12 hours/day, on a 4/3 schedule, rotating nights to days weekly. Committee Member Lenda stated that that was unknown. He is aware that some of the current dispatchers are trained to handle police calls and would more than welcome the current dispatchers, but that the Union and other contractual details will need to be worked out with the Town. Their goal is not to replace the current dispatchers should the Town opt for an IPF, but to add to the Department and to do what is correct for the current and future dispatchers and best for the Town. He does not believe the department would require a total of eight (8) dispatchers. Mr. Leonard, who has been in the business for 23 years, added that the dispatchers should all be in the same room, doing the same job. In addition, having been involved with the scheduling of dispatchers, he stated the difficulty in having part-timers on the schedule, due to their lack of willingness to work the 12-hour shifts and the high turnaround. Committee Member Lenda stated that, with his experience and expertise, he might be able to provide input into the staffing of the Department. He added that, because the Dispatching Center is currently not under the Police Department, the Committee presented dispatching as a separate entity deriving at the final proposed staffing level. They fully support the inclusion of the current dispatchers. He also added that the Committee would like the public to have a positive experience as they enter the Public Safety Building by eliminating the phone, opening the window, and being properly greeted by the dispatchers. In addition, the dispatchers could also monitor the prisoners via camera. Mr. Leonard also stated that, aside from the \$180,000.00 necessary for the State Police radios, the Town would also need to invest \$250,000.00 to upgrade the Town radios.

Joseph Brian Bonner, 774 Old Colchester Road, Montville, a long-time resident of the Town, thanked and commended the Town Council for the progress that has been made in the Town over the years. He reiterated out that, of the four (4) reports that have been previously presented, only one (1) recommended against the formation of an Independent Police Force and seconded the recommendation made by the Committee, which is made up of a tremendous amount of experience and very intelligent members. He hopes that the Town Council will proceed and keep moving forward.

Michael Hillsburg, 39 Lisa Lane, Uncasville, who has been involved with public safety in the Town of Montville since 1975, strongly endorsed the establishment of an organized police department. He stated the importance of realizing that public safety is a basic need that affects of all of the citizens, young and old, residing in the Town. He felt the study is

excellent and commended the Town Council in their selection of the Committee Members, who incorporated the previous studies in their report. He also felt that some cost savings could be gained in the area of dispatching and that, as an Independent Police Force, additional revenue might be gained from the State through the issuance of tickets as well as through such grants as the Asset Forfeiture and Homeland Security that have been/would be available to an IPF. He urged the Town Council to carefully review the materials and not concentrate so heavily on the costs and to do what is right and what is needed in the Town.

Montville Police Department Lt. Leonard Bunnell, 5 Little John Drive, who attended all of the MLEFC Meetings, thanked the Committee for the hours, days, and months they spent working on the Study and commented on the remarkable common sense and intelligence of each of the Committee Members. He also thanked the Public Safety Commission for their presence and support and the Town Council for the formation of the Committee. The report indicates, "The three chiefs of Police interviewed recommended the formation of an (IPF) based on the Town's population, geographic size and command structure." He added that there are other things that are involved in the need and the benefits that would be reaped, including the attraction of additional development, more economical and quicker access to Freedom of Information (FOI) reports, access to grants, improved morale due to consistency of operations and opportunity for advancement, and improved supervisory presence by having a PD Sergeant on the grounds at all times to answer any questions. In addition, the Department would be better able to deal with and tackle such issues as drugs, gang activity, domestic violence, and traffic for the betterment of the community.

7. Remarks from the Town Council and the Mayor

Councilor Rogulski, who, under the advice of MLEFC Chairman Pike, read all of the minutes, commended the Committee for their hard work and diligence. While he found the Report impressive, he wished that the Report contained more of the information reflected in their minutes. He posed the following questions/concerns:

In the February 11, 2015 meeting minutes, the Union Executive Board Members stated, in relation to the staffing, "there was no confidence that the Town would 'do it right.'" MLEFC Chairman Pike stated that the police officers, who are dedicated to their job and the Town, wanted to ensure that, should the Town move forward with an IPF, it would be done in such a manner that would support both their staffing and meet not only their current, but future needs.

With respect to the radios, he questioned the need for the additional \$250,000.00 radio upgrades, which are not reflected in the Report. Committee Member Giffen stated that the additional radio upgrades for the Town was not included in the report because those upgrades are necessary either way and, as such, was not contingent upon the establishment of an IPF.

While the Organizational Chart for the current Constabulary includes the Lieutenant, that of an IPF does not. Committee Member Lenda stated that various independent organized police departments engage different command structures, e.g. Waterford and Redding designates a Lieutenant as their second in command; Stonington, a Captain, and; Norwich a Deputy Chief. Under the IPF Organizational Chart, the Committee decided to designate the second in command as the Executive Officer and leave the designation of the second in command to the Chief of Police. In response to Councilor Rogulski who referred to the August 11, 2015 meeting minutes in which Union Executive Board President Officer Robin Salvatore "pointed out that the second in command should be a Captain, who would be excluded from the Bargaining Unit, in accordance to the State Statute" and that "having a Lieutenant as the second in command would constitute a violation of the Bargaining Unit", Mayor McDaniel stated

that having a Lieutenant as the second in command would not be a violation of the bargaining unit.

With respect to prisoner processing, it was stated in their minutes that two (2) officers would be necessary to process a prisoner, taking both of the officers off of their patrol for up to two (2) hours. The Committee clarified that the Montville Police Officers currently handle prisoner processing at the State Barracks. In an IPF, a sergeant would be on the premises at all times and may assist with the processing, requiring only one of the officers to be taken off of patrol duties. In addition, should an incident arise in which the officers' presence is required, the prisoner may be held for up to 24 hours.

With regards to Evidence Officer(s)/Juvenile Officer(s), it was stated that both of those positions may be dual positions, at the discretion of the Chief of Police.

With regards to the budget, Councilor Rogulski questioned pages 12 (RST) and 15 (IPF) of the Report, which appear to be identical and does not reflect the fact that, should the Town establish an IPF, those day-to-day costs would increase since approximately 30% of the facility, which is not currently being utilized, will be utilized. The Committee stated that, while such day-to-day expenses as the electricity, maintenance, and equipment would increase, it is estimated that the amount would be minimal since the facility, though not being utilized to its fullest extent, is currently being lit and maintained.

MLEFC Chairman Pike stated that the idea was to present the Report in a concise and clean manner and, while not all of the information discussed in their meetings are included in the Report, the meeting minutes are available to the public.

Councilor Longton posed the following:

He questioned the reasoning behind the inclusion of a full-year's salary and benefits for the Resident State Trooper in 2016 (Appendix C, page 14) when the target date for the transition is July 2016 or mid-year. MLEFC Chairman Pike stated that, because it is unknown as to the length of time the transition may require, the Committee opted to err on the side of safety and/or reflect a worst-case scenario.

Under the proposed Organizational Chart for an IPF, he questioned whether the position of the Records Clerk should be under the Detectives rather than the Patrol Sergeant. The Committee felt that that would be under the discretion of the Chief and the Command Staff; the position may be under any ranking supervisory officer, preferably with administrative knowledge, including FOI, Reports, and Computers.

Councilor Caron, having reviewed the minutes as well as the Report, commended the Committee. While he did have some concern regarding the dispatchers, he is confident that the issue will work out favorably and commended the current dispatchers. He agreed that the nearly \$7 million Public Safety Building should be fully utilized. The goal is to provide the Town with the best services for the safety of the residents and the officers in a fiscally responsible manner, adding that they have been very lucky to have the RSTs they have had. Chairman Jaskiewicz added that they have had *more* than a normal amount of good RSTs.

Councilor Tanner, who also read the minutes as well as the Report, commended the Committee for their extensive research and diligence and doing such a fabulous job as well as the Town Council for selecting a great group of gentlemen.

Chairman Jaskiewicz thanked and commended the Committee and also expressed his concern regarding the dispatchers, stating that he would like to see the existing dispatchers acquire the necessary training and be maintained. MLEFC Chairman Pike reiterated that the Committee is not opposed to doing as he suggests, but, because the department is currently a separate entity, their proposal treated them as such. Chairman Jaskiewicz stated the importance of putting the pieces together in an orderly fashion.

Mayor McDaniel thanked the Committee for their diligence and hard work. He, too, has read the minutes and clarified the following:

The Town is currently eligible for a number of grants as a Resident State Trooper Town. These grants include Homeland Security, COPS FAST (Funding Accelerated for Smaller Towns), Vest, Click It or Ticket, and DUI. He felt that the Town should receive a higher percentage of Asset/Forfeiture funds, as the Town's police force does not reap the rewards resulting in the demoralization of those who conduct the police work and gather the intelligence necessary for the arrest. Committee Member Giffen added that part of the problem resides in the fact that all of the information is reported to the State Police and, as the result, the Town's numbers are not reflected correctly, hurting the Town when they apply for certain grants.

He reported that he recently received notice from the State Department of Transportation stating that the Town is no longer eligible to receive the property, eliminating it as a possible location for the vehicle retention area. The Mayor stated and Committee Board Member Lenda agreed that the estimated \$60,000.00 for the proposed vehicle retention area would be the same no matter the location.

With regards to staffing, he stated that, currently, the D.A.R.E. Officer and Evidence Officer is an assigned duty to an officer.

He reported that he is actively working to recruit other towns into their dispatching center, which may mitigate their costs. He stated that he would be adamantly opposed to having two separate dispatch centers under one facility. All dispatchers should be cross-trained, COLLECT certified, and be able to handle fire, EMS, and police calls. In addition, capital funds may be gained to help them mitigate their costs for the necessary upgrades and the 911 systems will be able to better serve all of the communities.

8. Remarks from the Montville Law Enforcement Committee Members – *none*

9. Adjournment

Motion made by Councilor Caron, seconded by Councilor Longton, to adjourn the meeting at 8:18 p.m. Voice vote, 6-0, all in favor. Meeting Adjourned.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Montville

AN AUDIO RECORD OF THE MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE