



POLICE COMMISSION

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MINUTES OF REGULAR MEETING
BETHEL POLICE COMMISSION
WEDNESDAY, AUG 18, 2010
BETHEL POLICE DEPARTMENT-CONFERENCE ROOM

ATTENDING: CHAIRMAN NICHOLAS ELLIS
CHIEF JEFFREY W. FINCH
COMMISSIONER HUGO GRECO
COMMISSIONER CHRIS McCOLLAM
COMMISSIONER BILL OCHS

ABSENT: COMMISSIONER DAN GROSSO

Chairman Nicholas Ellis opened the meeting at 6:32 p.m. Delay due to Special Meeting.

1. General Public Comments:
None
2. Review of Past Minutes July 21, 2010
Chairman Ellis noted the incorrect date on the past minutes. Date should have been 7/21/10. To be refiled with the Town Clerk. Motion by Comm Greco to accept the minutes of the 7/21/10 meeting with correction ; seconded by Chairman McCollam – unanimous.
3. Budget Report:
The Commission considered the reports. Chairman Ellis noted the negative education Incentive. Chief Finch stated that one officer with a degree was not recognized when the budget was submitted. This will continue to be negative for the remainder of the fiscal year. Comm Ochs questioned the recouping of towing expenses on seized cars. Chief Finch reported higher overtime expenses as due to oral board exam expenses and hiring to cover dispatch summer vacation time. Motion by Chairman Ellis to accept the current budget report as presented; seconded by Comm Ochs – unanimous.
4. Old Business:
 - a) Monthly Reports
Comm Ochs asked about Cpl Pugnar's 6 DWI arrests for May, which seemed high. This was confirmed as correct. Motion by

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Comm Greco to accept the Monthly Reports as presented;
seconded by Comm McCollam – unanimous.

b) New Fiscal Year Goals 2010 – 2011

Goals are similar to those which have been ongoing according to Chief Finch namely increased traffic enforcement using existing staff through special assignments, enforcing traffic laws for increased safety and quality of life while reducing accidents and injury. In addition, continued regular command staff meetings to facilitate communication between various sections of the organization; reviewing methods and schedules; command structures and best practices to increase frequency of sergeants or higher ranking officer's presence on each shift; reviewing effectiveness of the present personnel evaluation system; consideration of plans and methods to produce more in-house training within affordable guidelines; reviewing patrol equipment in need of rotational replacement. In addition to these management goals Chairman Ellis asked about extra effort to support the funding and construction of a new building and the hiring of additional officers. The Chief pointed out that his goals are necessary in the running of the Department while items such as the Chairman mentioned fall within the responsibility of the Commission. Chief Finch stated that of course more cars and officers are needed but he has been operating within the "make do" "skeleton budget" guidelines of the Commission. Discussions with the First Selectman favored the initiation of a five year plan which includes making the new building a reality using the existing space needs study and the plans developed to date. Chairman Ellis stated that in a meeting with the First Selectman, it was pointed out to him that his and the Commission's duty is to present needs and let the First Selectman judge the availability of the necessary funding. Minimum manpower was discussed. Chief Finch welcomed upping this but pointed out the financial realities within the current tight budget. Chairman Ellis asked and the Chief agreed to develop the applicable numbers for discussion at the next meeting.

5. New Business:

a) Police Union Grievance - Paycheck

George Bryce, Union President, described the grievance in the hands of the Commissioners as a violation of Section 15.01 of the Collective Bargaining Agreement wherein longevity and education incentive payments are to be received on July 1st of a given year. In fact the payments were not received until the following pay week and then were lumped in with the regular paychecks rather than as separate checks per past practice. This resulted in higher taxes being withheld. One check stub was produced showing the amount threw the officer into the 23 percentile bracket. The Union sees this

as a breach of contract. When the Town Hall was approached the reply was in the nature of a software problem excuse and a statement that the excess taxes could be recouped when year-end income taxes are filed. George Bryce suggested on Wednesday (7/7/10) that the Town retract combined direct deposits and return combined undistributed checks while cutting new checks using the established procedure with the corrected amounts. This was not done. A simple "can you work with us while we are sorting this problem out" would have been a preferable response according to Union President Bryce. The Town Hall position was interpreted as being "we do not care. We will get it to you when we get it to you". Matt Zavatsky stated that his earlier contact with the Town Hall indicated they were aware of software issues at least since last February and to use it as an excuse at this time is "inexcusable". Because the Chief elected not to answer the grievance as submitted on July 5th within the ten working days as specified in the Collective Bargaining agreement it was requested that the grievance be put on this meeting agenda. The Chief stated that he did speak with detective Bryce and Off Delohery separately and they understood he would not support the grievance or their remedy, nor could he correct what has already happened, but that he did call and speak with the Financial office and the First Selectman. When the Chief did respond in writing, it was interpreted by the Union as indicating that the payments as mentioned could be made anytime in July, not necessarily July 1st. The Chief stated that he was pointing out what he believes is ambiguous, defective, misleading contractual language. The Chief went on to state that he (the Department) has always processed payment within the first two weeks of July. The Union's remedy to prevent this from happening again is that each affected member should be issued four hours of compensatory time for each day that these checks are past their due date of July 1st. There needs, according to Pres Bryce, to be something in place to prevent the Town from doing such things again. Chief Finch pointed out that the checks have probably never been issued July 1st but rather the "first pay period in July". The Union has accepted this for years without making an issue of it. It is the contract language which is ambiguous and needs to be clarified. Chairman Ellis stated that the contract language should read "first pay week in July". Comm McCollam stated that his union is currently grieving a similar matter with the Town. The grievance will be taken up in executive session according to Chairman Ellis.

b) Bethpage Rd – speed bumps

Responding to an enquiry from First Selectman Knickerbocker, Chief Finch checked past Commission minutes to discover that at no time did it approve speed bumps on Bethpage by motion. In his

updated survey the Chief noted 37 (84%) residents on the road approved speed bumps and only 3 (7%) did not. 4 residents did not respond. Of the responses 13 (30%) supported them but did not want speed bumps in front of their houses. Based on this the Chief found suitable locations for 2 or preferably 3 bumps needing only the Commission's approval to proceed. Chairman Ellis sees this as a quality of life issue. Bethpage is used as a cut-thru and something is needed to slow traffic. Lt Dickinson stressed the need to have it "done right" by involving Highway and the Town Engineering Departments. Speed bump configuration and construction have to be researched. Road speed bumps need to be made to a "higher standard" than those usually seen in parking lots. The Lieutenant also suggested petitioning the State to allow the posting of a 20mph speed limit. Bethpage has residential characteristics and the need is to turn it back into that residential neighborhood. Comm McCollam, while favoring their installation where warranted, feels that Bethpage may not be the proper road. Revisiting their installation in a future meeting is advised. Comm Ochs believes that speed bumps alone will not solve the problem, selective enforcement will also be needed. Motion by Comm Greco to approve the construction of speed bumps on Bethpage per survey data and controlling costs by utilizing Town agencies; seconded by Comm Ochs – unanimous. Motion by Chairman Ellis to have Lt Dickinson apply to the State to post 20mph speed limit signs on Bethpage; seconded by Comm Greco – unanimous.

Motion by Chairman Ellis to add motorcycle rally under New Business as item 5c; seconded by Comm Ochs – unanimous.

c) Motorcycle Rally 10/19/10

Motion by Chairman Ellis to accept Capt Cedergren's recommendation to allow a motorcycle rally on 10/29/10; seconded by Comm McCollam – unanimous.

6. Correspondence:

a) Donation – Ms Seagraves

Letter and donation complimenting the Department for their prompt response to her late night alarm caused by her visiting sister.

7. Chief's Report

a) Training Report

Lt Kennedy's training report was in the hands of the Commission.

b) First Selectman Letter

Chief Finch made Commissioners aware of a letter from First Selectman Matthew Knickerbocker concerning the reinstated five year plan with concern over the new police building.

8. Commissioner Comments:
None

At 8:20 motion by Comm Greco to go into executive session and invite Chief Finch to attend for purpose of discussing the Police Union grievance; seconded by Comm Ochs - unanimous.

Comm came out of executive session at 8:33.

At 8:34 motion by Comm Ochs to have Chairman Ellis draft a letter in response to the Police Union grievance for the Town Hall; seconded by Comm Greco – motion passed with Comm McCollam abstaining due to a similar ongoing issue involving his union.

At 8:35 motion by Chairman Ellis to adjourn; seconded by Comm Ochs – unanimous.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Ferd Miller Jr.", written in a cursive style.

Ferdinand Miller Jr.

Secretary