



TOWN OF MIDDLEBURY

POLICE COMMISSION

MINUTES MEETING OF THE POLICE COMMISSION Monday, December 8, 2014 – 6:00 p.m. Town Hall Conference Room

Present: Commissioner Frank Cipriano, Chairman
Commissioner Fran Barton
Commissioner Paul Bowler
Commissioner Ken Heidkamp
Commissioner George Moreira

Also Present: Chief James Viadero
Attorney Robert Smith
Barbara Whitaker, Recording Clerk

Call to Order with Pledge of Allegiance

The meeting was called to order by the Chairman with the Pledge of Allegiance.

At this time the Chairman stated that he was going to change the order of the agenda, because of a commitment that Chief Viadero had to attend to.

Selectman Barra's Comments to the Police Commission

Selectman Barra was not present.

Police Department Committee Reports

Budget Report – Commissioner Bowler

No report tonight. An update will be given in the Chief's report.

Personnel and Labor – Commissioner Moreira

No report tonight.

Building and Equipment – Commissioner Heidkamp

He spoke with the Chief about getting some more aggressive tires on the cars; some have been purchased and they are on Officer Demer's vehicle.

Rules and Regulations – Commissioner Barton

No report tonight.

Chief's Report

The Chief indicated that the K-9 policy had been updated and lists the duties and responsibilities of K-9 officer. One day per month training is required; it is scheduled a year in advance.

The Chief said that the computer policy was revised and included protocols that should be adhered to with the new laptops and new computers he wanted to ensure that there was an up-to-date policy.

Commissioner Heidkamp inquired about a policy on the use of town-owned cell phones. Chief indicated there was no current policy and there are only three officers that utilize Town owned cell phones.

Commissioner Barton asked about the new jackets. Chief Viadero indicated that the jackets are on order; and that the windbreakers are in and the officers should be wearing their reflective vests.

The Chief stated that the policies have been reviewed by the Town Attorney and the Union. Commissioner Heidkamp MOTIONED to approve the K-9 and the Computer Utilization Policy, SECONDED by Commissioner Moreira. Unanimous approval.

The Chief said that he will have the Use of Force policy for review by the Commission at next month's meeting.

The Chief indicated that the MPD had an extradition from Dutchess County and they picked up an individual on serious domestic abuse charge.

The Chief stated there was another heroin arrest made the day before Thanksgiving; Middlebury officers worked with Naugatuck Police Department. There was an operation set up and they arrested one individual from Wolcott and another from Waterbury. On the same day there was a drug overdose of a 24 year old individual on Longmeadow. Heroin use is a prevalent problem, they are working on it and they are going to continue to focus on.

The static sheet was included in packet on the motor vehicles.

Commissioner Heidkamp inquired about the number of true alarm calls the Department receives versus false alarms. The Chief said that 95% of the alarms are false alarms and many of them are cancelled before they get there. Very seldom do they get there and it's an actual break-in.

Chief Viadero stated the laptops for the cars are set to go, they are testing them. The video testing for the school monitoring has been put on them. The Chief met with Hunt about the Global online.

They received an invoice from New England Uniform on the outer coats and they are waiting for billing on winter outer coats.

The Chief indicated that the only item in the budget that is short is the budget for the 10th officer has been increased. There is now an added cost for the GPS system, they are going to have to inherit the cost for the email program and the gas master system. Additionally, there are some other items that increased minimally, publications and dues. The Chief added that the budget for ammunition has been static at \$800 for years, although the price of ammunition has gone up dramatically. The officers have to qualify every year so he's increased that line item to \$1,500. They get ammunition from the State bid list. The original budget was for just pistol, now they have pistol and rifle. The price of .40 caliber pistol ammunition has gone up dramatically.

The past salary budget was for nine officers plus the Chief. Vacation holiday and sick time needs to be increased a little. Commissioner Heidkamp said that it looks like the new budget is 10% increase. The salary line item went up the overtime went down. The big changes are in vacation and sick time and the line item of roving security. There was some discussion on staffing officers who are out.

Commissioner Bowler asked Michael Kenausis, Board of Finance Liaison what is going to be the big problem with the budget with the Board of Finance

Mr. Kenausis offered that you can't go over on the Town budget, it's against federal law. He doesn't think the Board is going to look at it optimistically but feels that they are going to look at scheduling alternatives. He asked if the night shift required a supervisor, and explained that this needs to be clarified by the Board of Finance, there is a misunderstanding that there are three people on and there only needs to be two people on.

The Chief explained that before he got here the Chief worked a day shift; and there was a Lieutenant that worked from 2 to 10 and Sergeant from 10 to 6. The Acting Chief was working flexible hours in between, but when Lt. Wildman left that left no supervisor. Overnight there is no supervisor; there is a senior officer that acts as a supervisor. Mr. Kenausis asked that the Chief present this to the Board of Finance to help explain the salaries (reserve and overtime). He thinks presenting this as global picture it will help to give a clearer picture.

The Chief added that two officers are becoming senior officers and they are going to be entitled to more vacation time. He looked at the history for the past three years and based his numbers on those numbers.

The Chairman said that there has to be an officer on every shift.

Chief said that two officers are working tonight and the Sergeant is also working tonight but you have to have a supervisor. The Chief said that he presented liability to the Commission and it has to be accounted for. You have to have supervision

on every shift, our policies call for supervision whether they are on call and can be reached by phone. The Chief also added that Middlebury Police Department wants to move forward to be accredited. The way the Department is staffed now, they will not be accredited.

Commissioner Heidkamp inquired about how things were running since communications was moved out of the building. The Chief said it puts a burden on the Department, although he understands that there is a savings. When someone comes up to the phone, an officer comes in off the road to handle this. Chief Viadero offered that the Department has to have some type of supervisory structure other than a Chief of police and one Sergeant.

On the overnight shift (10 to 6), there are three officers working but there is no supervision, just a senior officer. Chief is there during the day. Those are the only two supervisors. The Chief said that he explained to Mr. McCormack, there is a difference between a manager and a supervisor. Supervisor coordinates events on an event, a drug arrest, hiring personnel because someone called out sick. Michael said that he feels that the Chief needs to explain this to the Board of Finance.

Mr. Kenausis said that they (the Board of Finance) are going to question how you are going to project the shortage that you're going to hit this year. The Chief said he expects to see a savings in the gas account, and some in the vacation account. He didn't prepare the budget last year, he inherited it. In some areas it was very short, he's got to get the officers to respond to calls and be fiscally responsible.

The Chief participated in a security survey at Westover. They are exempt from the state statute as far as school security. He feels that they are responsible for giving them information on making that a safe school environment.

The Chief attended a seminar at Yale on Friday on school shootings, some of the new technology that is in place. The MPD is contending with new mandates, new accident reporting system they are working on with Hunt. It puts a greater need on their time to fill out the report because the DOT needs that information. New mandates being putting forth on deadly weapons registry as those reports come in there is going to be a decision made on whether a search warrant takes place. Ten years ago there was probably 60% less constraints on the officers, now there are more and it takes more man hours.

The Chief stated that Officer Ed Demers and Office Dave Jennetty received awards from the Waterbury Exchange Club. This article was in the newspaper.

Chairman's Report

The Chairman stated that this has been one of the most productive years that he's seen in his time on the Commission. The Chairman thanked the Commission and

thanked the subcommittee that worked on choosing and hiring a chief. The Chairman also thanked First Selectman St. John, Commissioner Barton, and Barbara Whitaker for their participation in the search.

The Chairman stated that since Chief has been on the job, he's rolled up his sleeves and made the Department better than it's been for the time. The Chairman added that he is sure that he has many more areas to work on to better the Department. The Chairman congratulated the officers who were recognized for savings a life at Lake Quassapaug last year.

The Chairman said that he has seen a big change since Chief Viadero came on board, and he has run into people at Four Corners store and the post office commending the Chief. The Chairman said that he is happy about the new K-9 Jay. The Chief reported that Jay starts school in February and we won't see him on the road until the third week in April.

The Chairman wished everyone a Merry Christmas and a Happy New Year.

Old Business

None.

New Business

None.

Correspondence

None.

Executive Session

Commissioner Bowler MOTIONED to go into Executive Session for a discussion of labor negotiations and pending claims, SECONDED by Commissioner Moreira. Unanimous approval. Attorney Robert Smith was invited to sit in on the Executive Session. The Chief was invited to attend, but declined.

These minutes are submitted subject to approval.

Respectfully submitted,

Barbara J. Whitaker

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Recording Clerk