

EAST WINDSOR POLICE COMMISSION

REGULAR MEETING: September 14, 2022

7:00 p.m.

**East Windsor Police Department
25 School Street, East Windsor, CT 06088**

1. CALL MEETING TO ORDER AND ATTENDANCE:

Meeting was called to order at 7:00 pm by Chairman Leach. Commissioners Filipone, Riordan, and Rivera-Hills were present. Also present were Chief Edward DeMarco Jr. and Administrative Lieutenant Matt Carl. Present in the audience were First Selectman Jason Bowsza, Selectman Marie DeSousa, Selectman Charles Nordell, Selectman Al Baker, Selectman Sarah Muska, Jim Barton, James Barton, Kevin Clynch, Tom Burnham, and Daniel Carden.

7:02 pm - Chairman Leach handed out his Police Commission Chairman Report dated September 14, 2022 (Attachment A).

2. ADDED AGENDA ITEMS:

MOTION made by Commissioner Rivera-Hills to:

Add #6, Unfinished Business: To rescind the improperly made motion on July 13th for the Chief and Deputy's wages and to offer a new corrected motion.

Add Agenda #7, New Business: CIP Purchase of Cruisers.

Add Agenda #7, New Business: CIP New Submission Female Locker Room Renovation.

SECONDED by Commissioner Riordan

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL THOSE VOTING, VOTE IN FAVOR. MOTION CARRIED

3. PREVIOUS MEETING MINUTES:

The minutes from the August 10, 2022, regular meeting were reviewed by all commission members.

MOTION made by Commissioner Filipone to accept the regular meeting minutes of 8/10/2022.

SECONDED by Commissioner Rivera-Hills

EXCUSED: Commissioner Long

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL THOSE VOTING, VOTE IN FAVOR. MOTION CARRIED.

4. BUDGET AND EXPENDITURES:

A) Police Department – Monthly Billing: MOTION made by Commissioner Filipone to approve the monthly billing in the amount of \$18,492.55, as of September 14.

DISCUSSION: Commissioner Filipone asked what items two and three Professional Services BEI is for. Chief DeMarco stated you only see that once a year. Its Business Equipment Incorporated for our VERINT telephone call system that records all the radio calls/telephone calls; it's our maintenance agreement, parts/labor, etc.

SECONDED by Commissioner Riordan

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

B) Police Department – Financial Statement: MOTION made by Commissioner Filipone to approve the monthly financial statements, with a balance of \$3,249,905.13, as submitted.

DISCUSSION: Commissioner Filipone said he's surprised its 15.8% at the beginning of the year; good job. He wants to know what the negative police fees and fines are. Chairman Leach said its in anticipation of what we may collect for the year.

SECONDED by Commissioner Riordan

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

C) Police Commission – Monthly Billing: MOTION made by Commissioner Rivera-Hills to approve the monthly billing in the total amount of \$125.00.

SECONDED by Commissioner Filipone

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

D) Police Commission – Financial Statement: MOTION made by Commissioner Rivera-Hills to accept the police commission monthly financial statement dated 8/31/2022 as submitted with a balance of \$1475.00.

SECONDED by Commissioner Filipone

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

5. UNFINISHED BUSINESS:

Chairman Leach would like to make a motion to rescind the previously passed motion on July 13th to increase the Chief and Deputy's wages and create a new motion to reflect a \$5.00 per hour wage increase. Commissioner Filipone asked why we are doing that. Chairman Leach stated in his mistake, he did not notice correctly on our agenda the review of the Chief and Deputy and the wage increase. He failed to add it as an added agenda item. Commissioner Filipone asked why the amount was reduced. Chairman Leach said he doesn't know and he

has discussed with the Chief and Deputy if they were comfortable in doing that after hearing from many residents that were complaining about it. Commissioner Filipone asked how many is many, because he has only seen three on Facebook and wants to know if that's it. Chairman Leach said there hasn't been a lot. Commissioner Filipone doesn't believe we should change for three people when there is a whole town.

MOTION made by Commissioner Filipone to rescind the July 13th previously passed motion.

SECONDED by Commissioner Riordan

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

MOTION made by Commissioner Filipone to create a wage increase for the Chief and Deputy Chief to \$5.00 per hour.

SECONDED by Commissioner Rivera-Hills

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

6. TRAFFIC AUTHORITY:

None.

7. NEW BUSINESS:

Adm. Lt. Carl gave an update on the purchase of CIP purchase of cruisers for 21/22. The CIP budget allowed for the purchase of two vehicles, but there is a shortage of vehicles available for police pursuit vehicles available this year to purchase. We can replace a Detective vehicle which does not need to be police pursuit rated. They were able to locate one from a state bid vendor (Tahoe) for \$39,571.60. They would like to know if they should purchase another not police pursuit rated vehicle or wait and carry over the CIP money to next year to purchase a police pursuit rated vehicle. A discussion ensued. The Police Commission would like to carry the CIP money over to wait for a police pursuit rated vehicle. Selectman Bowsza stated as long as it's in CIP its yours to control in the current operating year. At the end of the year the Board of Finance will decide whether or not to roll that over into a CNR account. If they do that then its yours to control until the completion of the project. Chairman Leach added that would occur around July. Chairman Leach recommends purchasing one not police rated vehicle now for the Detective vehicle and to hold off for the police pursuit rated vehicle.

Chairman Leach asked about our previous locker room expansion that we need to get done. Chief DeMarco stated he will submit that tomorrow with their permission. Chairman Leach said we are currently at capacity for female officers for the locker room and there are six positions in the locker room. Chief DeMarco said the new configurations will be enough of a fix for 15-20 years. Commissioner Filipone said its another band-aid, but we have to do it now if we want to hire another female.

MOTION made by Commissioner Filipone to submit the locker room renovation to CIP.

SECONDED by Commissioner Rivera-Hills

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

8. COMMUNICATIONS:

None.

9. MONTHLY REPORTS:

Chief DeMarco stated all the recruits are in-line and ready to graduate FTO. The part-time social worker is training, getting settled in and already working with the community.

10. PUBLIC INPUT – Comments and Discussion (5 minutes maximum time per subject)

Marie DeSousa would like to speak as Deputy First Selectman and to speak as the public.

Deputy First Selectman Marie DeSousa read and gave the Police Commission a written public comment. She submitted a packet (public statement, statement from the Board of Selectmen and Facebook post from Jack Mannette (Attachment B).

Marie DeSousa of 10 Rice Road, Broad Brook, said as a resident, a merit increase of \$7.50 she has a concern with because it wasn't done, in her opinion, the proper way. The memo from the Chairman talks about the last 10 years and the good job the police department has done. While she agrees with this, a merit increase is based on the previous year with a performance evaluation. The economy is tanking and the amount of \$7.50 per hour plus a contract of 2.25% increase through the budget is a disservice to the community and the taxpayers.

Jim Barton of 158 S. Water Street, said he's been watching the scenario and he believes the raises are unnecessary and too much. It shouldn't have happened in the first place because it wasn't in the budget planning for salary. He wants to know when the meeting was held for the statement by the police commission. The change from \$7.50 to \$5.00 would have had to have been done at a properly noticed meeting with a motion. You are elected by the people and not part of the police department and you should have more consideration for the taxpayers. He also believes the police commission meeting should be at the Town Hall in the public meeting room and not at the Police Department. He thinks Roberts Rules of Order and meeting criteria have been lacking and should be corrected.

Tom Burnham of 38 Stoughton Road, said Jim had a lot of good points about meeting somewhere else. He thinks Chief DeMarco is going to be punished most by this. If you had good reason to give a raise in the budget, then give him a raise. If the town doesn't like it they can vote you out next time. The communications between departments and commissions needs to open up. Also, you corrected a motion by not having it on the agenda and you just did the same thing by doing a motion that's not on the agenda. The issue is still not on the agenda. You can't fix a problem by duplicating it.

Al Baker said lots of stuff in the letter he got tonight are all excellent things that have been good additions to the department and gave the reasons for funding such as adding an officer or IT guy. The other side of that list of things is that the town in the form of the Board of Selectmen, Board of Finance, and voters, have backed this department 100%. Those things that you put in there, you can't list them in everything. Also, communication between the

Chiefs and rest of government has been excellent, but this situation seemed to take a very different path. He thinks it went in a bad way and could have been done in a better way and probably wouldn't be where we are today.

Daniel Carden said he posted something on the computer, made an error, and couldn't pull it back. He wants to apologize. He has some serious concerns with officers and a couple people with high authority and he will write a letter of his concerns to submit to the Police Commission. He agrees the meeting shouldn't be held at the police department. He is traumatized but wants to keep it simple and submit a letter. Chairman Leach stated he can send the letter to the Rye Street address.

James Barton of 108 Main Street, East Windsor, said he wants to reiterate this isn't a proper location for a public meeting and the location should be changed; we are sitting next to a bunch of boxes, and you had to get chairs from another room and its unprofessional. He was also wondering how you changed the board action from \$7.50 to \$5.00 per hour. He added that we will move on from that since the Chairman said it was another mistake tonight that it wasn't on the agenda. He hopes you can look at the big picture as what if other managers ask for a \$7.50 increase? He also hopes the patrol supervisors get a \$7.50 an hour raise. He thinks it ludicrous that two weeks into the budget process, effective immediately, you give a \$7.50 raise and then a 2.25% raise in August. A commissioner tonight made a comment tonight that we don't support the police department. A lot of us do support the police department. We just didn't support the actions of this board at one meeting and that does not mean we don't support the police department. I support the police department every day.

Anna Rivera-Hills wanted to address Marie DeSousa in her statement regarding the statements that were put out. She did have a conversation with Chairman Leach and she did state to him that his opinions were not her opinions. The commissioners didn't sign the statement, but it was on the Police Commission letterhead. She doesn't agree with the majority of the statement. It is Bob's opinion and not the collective opinion. She does not know the opinions of the other commissioners.

Marie DeSousa wanted to give her rebuttal - if the Commission of the Board is putting stuff under you guys as the entire Commission, you need to address it with him like you did. It should say from the Chairman only if its only from him. For accuracy, she wants to know if the letter that came out from Bob under the guise of the entire police commission was inaccurate.

Commissioner Filipone would like to respond to James Barton's comment. He thinks he misunderstood the point he was trying to make. We are nationally, statewide, whenever three people say they don't like the color red, you have to ban red. He knows this is a silly example, but the whole country is happening that way and it bothers him immensely. Every time someone says no, the whole country has to change, and he doesn't like that. In this town, he represents the people of the town, but it has to be the vast majority of the people. People don't come out and say yes even when they go to a town hall meeting. That's the point he was trying to make. He wasn't inferring you don't support the police.

11. EXECUTIVE SESSION:

MOTION made by Commissioner Filipone to enter into Executive Session at 7:49 pm to include Chief DeMarco and Adm. Lt. Carl for discussion on legal and security issues.

SECONDED by Commissioner Rivera-Hills

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

MOTION made by Commissioner Riordan to end Executive Session at 8:37 pm

SECONDED by Commissioner Long

VOTED IN FAVOR: Commissioners Filipone/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

12. ADJOURNMENT:

MOTION made by Commissioner Riordan to adjourn the meeting at 8:37 pm.

SECONDED by Commissioner Long

VOTED IN FAVOR: Commissioners Filipone/Long/Riordan/Rivera-Hills

ALL IN FAVOR, MOTION CARRIED.

Respectfully submitted,

Judith Tweedlie - EWPC Recording Secretary

EAST WINDSOR POLICE COMMISSION

TOWN OF EAST WINDSOR

11 Rye Street

Broad Brook, CT 06016

September 14, 2022

Police Commission Chairman Report.

As chairman of the police commission, I inform you that I've made a mistake during the July 13th meeting. I failed to put an added agenda item on the and that item was "personnel matters following executive session"

That mistake will be rectified tonight.

This Commission and this department has always been and will continue to be the most responsible and transparent budgeting department in our town. For years we have received praise from the board of finance, from the board of Selectmen and others involved for the accuracy, the transparency and the savings we've always been able to deliver in our budget. Our budgeting is another one of the responsibilities we do exceptionally well.

As to the issue of how we fund this increase in wages for the chief and deputy, in this year's EW PD FY 22/23 budget our salary line has more than enough to cover the increase with the retirement of a 27-year sergeant this past July and the budgeted salary in anticipation for the return of one of our Corporals currently serving in the military who was due to return in July and our latest information shows that won't occur until possibly the end of September. The wage increase will have zero impact on this year's budget and taxpayers.

Please keep in mind, the salary we've budgeted for this year is accurate just as always but situations like the early retirement and the late arrival of our returning officer are beyond the control of this commission and administration.

Going forward.

I might remind the taxpayers and all concerned of the recent state mandated police body worn cameras, the only good thing that came from the police accountability Act.

Two years ago, the Chief and Deputy were able to procure body-worn cameras for all of our officers at zero cost to taxpayers, which was a savings of approximately \$300,000 alone.

I'll repeat that was a savings of \$300k for mandated equipment that we couldn't anticipate in our budgeting, mandated by legislation.

Just that savings alone would more than fund the Chief and Deputy salary increase for the next 10 years.

Other savings our administration has been able to deliver to this town are two recent competitive Federal Justice Assistance Grants one of which we were able to procure the police K-9 vehicle and the other, one patrol vehicle and two LiDAR speed enforcement lasers at no cost to the town.

There are many more savings our administration has provided through their tireless efforts to improve our PD, these are just a few examples I'm sharing.

\$166,500

As to comparative salaries using Police Executive Research Forum [PERF] metrics the average base police chief salary for our region is \$159k. Factoring years of service and education that number is higher. Some members of this Commission have been aware of the discrepancy in compensation for the chief and deputy for many years, it's definitely not news to most on this Commission that a fair change in compensation was appropriate.

Considering both the Chief and Deputy's accomplishments, the goals set by this commission and achievement of compliance with all the state mandates of the Accountability Act I would like to share some information with the public. These examples by far are not the only criteria we used to come to our decision to provide a fair and just wage increase but I believe you'll find the information pertinent.

Of the 94 municipal police departments in our state the East Windsor PD is one of only 13 that have achieved Accreditation, we are currently working on Tier 2 accreditation and we should reach that goal this November. I should add that we've achieved Tier 1 before the requirements of the Police Accountability Act. Earning accreditation takes years to accomplish. It's a tremendous amount of work from the administration and cooperation of the entire team of officers and staff. It's a milestone that should be recognized.

Recently POSTC, the state agency that certifies all police officers and police academies within Connecticut now recognizes the East Windsor PD as a Model Agency. As such our Police Department is now consulted by those 94 municipal departments for our policies, procedures and methods.

Further accomplishments, our administration recently earned recognition for our Mental Health program built from the ideas of our Chief and Deputy that this commission got behind and supported. A mental health program that received recognition from other agencies, the Governor's office and national recognition as well. This was an investment made by this commission that's still in progress of implementation.

I would like to remind all parties, not just the taxpayers but, the board of Selectmen and the Board of Finance that for the past 9 years this department has returned every cent of the taxpayers dollars. Those unexpended funds should always go back to the taxpayers, it's their money.

Some people may be aware of a social media post by a previous Board of finance member, a previous police commission member.

I'm here to say unequivocally that most the information posted is completely false.

To date for FY 21/22 the PD has returned \$17,361.07 to the taxpayers of East Windsor. Of that amount \$7,668.91 are fees collected through the dog fund.

Something the taxpayers are probably not aware of is a few weeks before the end of FY 21/22 the police department budget was cut by a total of approximately \$85,000 from our salary line.

That would bring our total return of unexpended funds to approximately \$102,361.

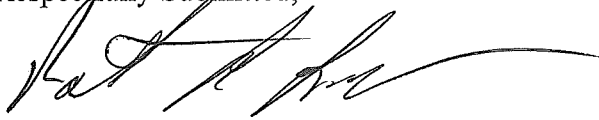
The overage in our salary line came from the vacancies that occurred early in the budget year that we filled mid-year and the resignation of one of our officers in April. Again these are situations beyond our control.

Again I'm going to reiterate the accuracy and transparency of our budget and our history of returning all funds to the taxpayers.

The relationship between the Police Commission and the employment of our Chief and Deputy is vital to accomplishing everything for our community. Together we have grown and changed so much within the PD in the past 15 years that it's nearly unrecognizable from where this department was. It's also extremely important that we maintain all the controls we've had in place since the inception of this Police Commission in order to adapt to the changes necessary to serve our community, in order to achieve the goals set forth by the commission, in order to provide the best in Police Services to our town, in order to retain our personnel that have proven their commitment to our goals and going that extra mile to get the job done.

In closing I want to remind everyone that our Police Department, Administration, Officers, Dispatchers, Staff and this commission are committed to serving our community, addressing the needs of our community and accomplishing this through the most transparent means.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Robert L. Leach', with a long horizontal flourish extending to the right.

Robert L. Leach
Police Commission, Chairman

September 14, 2022 Public Comment


Police Commission

I feel it is necessary to comment on the recent memorandum dated 9-9-2022 you the East Windsor Police Commission put out in response to the Board of Selectmen memorandum September 2, 2022. First, it is unfair and unprofessional to direct your comments all toward our 1st Selectman Jason Bowsza. I have enclosed a copy of our letter which clearly has signatures by the entire BOS who were instrumental in drafting our message to our taxpayers whom had concerns.

Secondly, the First Selectmen did his due diligence to bring this request for \$7.50 per hour to the BOS as it was questionable for it was out of the norm. Although, I didn't attend that meeting due to personal reasons I did watch the video and concur with the BOS decision to ask for clarification on the increase and procedural concern. In my opinion justified by a Board who will always question something out of the ordinary since it was also not part of the budget process. The Police Commissioner Chairman, Robert Leach, was present in the room but yet at the August 10, 2022 Police Commission meeting he stated he had no idea why it was tabled. He has made accusations that our First Selectmen has misled our Board which I disagree with. I feel he has misled his Board.

Finally, unlike the lack of communication on regarding the unexpected increase by this Commission you didn't even stand behind it which I find egregious. At the last Police Commission meeting during public communication it was commented by Noreen Farmer that the agendas need to reflect what the meeting entails and posted accordingly. I understand the \$7.50 hourly increase has been reduced to \$5.00 per hour but have not seen any meeting posts.

Marie DeSousa



Deputy First Selectmen



TOWN OF EAST WINDSOR

FIRST SELECTMAN JASON E. BOWSZA

September 2, 2022

Statement from the Board of Selectmen Concerning Unilateral Pay Rate Increases Imposed by the Police Commission

A number of taxpayers have shared their feelings about the Police Commission's decision to increase the salaries of the Police Chief and the Deputy Chief, and we agree with many of those expressions of opposition.

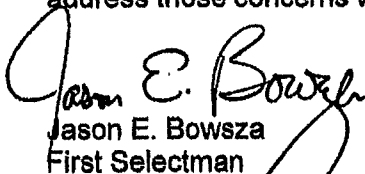
This action is the purview of the Police Commission solely, and they have acted in a way that seems to be irresponsible stewardship of the public dollar. No information has been shared publicly, to our knowledge, that supports a so-called "merit" increase. In fact, the contracts of both the Chief and the Deputy Chief already incorporate merit compensation. The action of the Police Commission exceeds that contractual allowance further. No salary comparisons have been shared publicly. No justification has been offered to support the change in rate.

Inflation is painfully high, the Police Union contract remains open (and this type of wage increase will undoubtedly be used against the Town in labor negotiations), and it is unclear where the expectation that the additional \$30,000 annually would come from in future budgets, unless the expectation is that it would come from taxpayers.

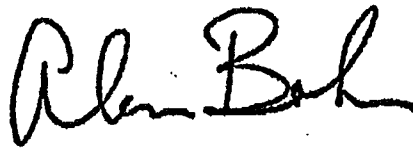
Certainly, if the funding is available in the current budget, it raises serious concerns about the trustworthiness of the budget submitted by the police commission and the police administration during the recently completed budget process.

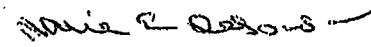
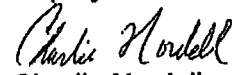
On the advice of the Town Attorney, a Special Counsel was appointed to determine the appropriate course of action here. The Special Counsel has determined that salary changes are the purview of the Police Commission solely. The First Selectman has been clear to the Selectmen that he will not sign those payroll change orders. The Police Commission Chairman will have to do it.

The Board of Selectmen are not supportive of this change, in any way, we did not have a legal right to deny this, and we encourage those who share our objections to the wage increases to address those concerns with the Police Commission. They owe the public an explanation.


Jason E. Bowsza
First Selectman


Sarah Muska
Selectman


Alan Baker
Selectman


Marie DeSousa
Deputy First Selectman

Charlie Nordell
Selectman



To East Windsor Taxpayers

There's now dispute between the Board of Selectmen and the Police Commission after the commission gave the Police Chief and Deputy Chief a \$15,600 pay increase outside their employment agreements without any public explanation.

The Police Commission Chairman, in a public statement on September 9th, indicates that the raises were voted on after a lengthy discussion. Their July 13, 2022, meeting was called to order at 7:02 pm and went into Executive Session at 7:19 pm, not to discuss merit increases, but to include an interview with a candidate for a position of part-time Social Worker, and for discussion on legal and security issues. They ended their Executive Session at 8:37 pm. The Commission then voted to make the candidate a conditional offer. After this, the Commission voted on the following motion made by Commissioner Rivera-Hills "to increase the Chief and Deputy Chief's hourly pay rate by \$7.50 an hour, effective immediately, and for the duration of their employment with the Town of East Windsor Police Department." The meeting minutes reflect that there was no discussion and Commissioners Filipone, Long, Riordan and Rivera-Hills voted in favor. The Police Commission adjourned at 8:37 pm.

In the Police Commission Chairman's September 9th Statement, he is quoted saying that during the Police Commission meeting on July 13, 2022, after listening to an extensive and comprehensive presentation regarding executive level police wages in Connecticut and New England (The Northeast), the Police Commission voted unanimously to award merit-based hourly wage increases. That means that this presentation, which was not on the agenda, lasted about 15 minutes and represents a violation of Freedom of Information rules!!!!

Something is very wrong with this situation! The Chief & Deputy Chief have current Employment Agreements that cover their compensation. Accordingly, their 2022 annual salary increase should be 2.25% or \$3,070. Are their \$15,600 raises over and above the Agreements?

The actions of the Police Commission outside of these Agreements appears to be a breach of the agreements.

The Chairman's Statement further indicates that they have the right to give raises. That's true but only after the monies are specifically included and approved by the Board of Finance and the Public budget referendum. The Police Departments 2021/2022 budget ended the fiscal year with ~ \$400,000 surplus. Yes, we appreciate the departments fiscal responsibilities, but this surplus came from overstating their annual budget needs. This means East Windsor Taxpayers are being overtaxed!

Note: as a previous member and Chairman of the Police Commission and Finance Board, increases in manpower and annual compensation always had to be included in the discussions and ultimately approved in annual budget requests. Simply saying surplus monies were available, does not provide the authority to use them without prior specific approval.

Jack Mannette

15 Old Ellington Road

Broad Brook
