

TOWN OF EAST LYME
POLICE COMMISSION
SPECIAL MEETING OF JUNE 15, 2017
MINUTES

FILED IN EAST LYME
CONNECTICUT
6/19 2017 AT 11:45 (AM) PM
Sandra Anderson
EAST LYME TOWN CLERK

Members Present: Daniel Price, Joseph Perkins, Thomas Gardner and Tony Buglione. Mark Powers arrived at 6:10 p.m.

Members Excused: Mark Nickerson and Giancarlo D'Angelo

Also Present: Police Chief Mike Finkelstein

Mr. Price called the special meeting to order at 6:07 p.m. and led the Pledge of Allegiance.

3. New Business

- a. Chief Finkelstein gave an update on the Priority List, attached hereto as Exhibit 1.
- b. The Commission reviewed the existing Ordinance entitled "Ordinance Establishing Board of Police Commissioners", attached hereto as Exhibit 2.

4. Adjournment

MOTION (1)

Mr. Perkins moved to adjourn the June 15, 2017, special meeting of the Police Commission at 6:59 p.m.

Seconded by Mr. Buglione. Motion passed 5-0.

Respectfully submitted,



Sandra Anderson,
Recording Secretary

EXHIBIT 1



East Lyme Police Department
Office of the Chief of Police
278 Main Street
Niantic, CT 06357

Priority List

Policies & procedures, General Orders	Draft finalized/Final review
COLLECT	Audit completed/Network config
Dispatch	Working to review scheduling/Payroll
AFIS/Processing Camera	Complete – Awaiting portal opening
Tower	Being erected
Radios	Meet with vendor tomorrow
Report Fees	Reviewing LEC survey
Processing/Evidence Prisoner Training	Forthcoming w/Zebra install

ORDINANCE ESTABLISHING BOARD OF POLICE COMMISSIONERS

1. There is established a seven member Board of Police Commissioners for the purpose of organizing and maintaining a police department in the Town of East Lyme. The Board shall have all the authority, powers and responsibilities set forth in Section 7-276 of the Connecticut General Statutes, as it may be amended from time to time.

2. (A) The Board of Police Commissioners shall consist of the First Selectman and six resident electors of the Town appointed by the Board of Selectmen. The terms of the appointed members shall be as follows: three terms shall be filled by appointment until the first Monday of January, 2018, at which time they shall be filled by appointment for four years. Three terms shall be filled by appointment until the first Monday of January, 2020, at which time they will be filled by appointment for four years.

(B) Appointed members of the Board of Police Commissioners may serve no more than two consecutive terms. A member who has served two consecutive terms may not be reappointed to the Board until four years have elapsed from the conclusion of his or her most recent term. A First Selectman who has ceased to occupy said office may not be appointed to the Board until four years have elapsed from the conclusion of his or her most recent term as First Selectman.

(C) No appointed member of the Board of Police Commissioners shall hold any other elective or appointed office within the Town.

(D) The First Selectman shall have the right to vote at meetings of the Board of Police Commissioners.

3. The Board shall have all of the powers given by the general statutes to boards of police commissioners, shall have general management and supervision of the police department of the town and of the property and equipment used in connection therewith, shall make all needful regulations for the government thereof not contrary to law or applicable collective bargaining agreements and may prescribe suitable penalties for the violation of any such regulation. The Board shall have the sole power of appointment, promotion and removal of the officers and members of such police department, under such regulations as it adopts for the purpose, and such appointees shall hold office during good behavior and until removed for cause upon written charges and after hearing. The members of such police department shall have all such authority with respect to the service of criminal process and the enforcement of the criminal laws as is vested by the general statutes in police officers and constables.

4. The Police Department, under the direction of the Board of Police Commissioners, shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property and enforcement of the laws of the state, and the ordinances of the town and all rules and regulations made in accordance therewith. All members of the department, except clerks, shall have the same powers and duties with respect to

the service of criminal process and enforcement of the criminal laws as are vested in officers by the general statutes.

5. The Police Department shall consist of a chief of police and such other officers of rank, patrolmen, supernumeraries and clerks as may be necessary to discharge the duties of the Police Department. The establishment of grades within the department shall be at the discretion of the Board of Police Commissioners.

6. The appointment of the chief of police shall be made only after certification of the applicant by the State of Connecticut Police Officer Standards and Training Council. The chief, or in his/her absence, the officer of rank designated by the Board of Police Commissioners, shall be responsible for the administration of the affairs of the Police Department, under the direction of the Board of Police Commissioners. The duties of the chief shall include, but not be limited to, the following:

- A. Be responsible for the day to day operation of the police department; report on such operation to the Board of Police Commissioners at such intervals as said Board shall establish;
- B. Initiate and cause to be carried out a continuing program for instruction and training of personnel for the department;
- C. Develop and preserve system records with respect to law enforcement and other activities of department personnel and communications maintained by the department;
- D. Maintain records of all personnel within the department, by rank, grade and category, and render periodic reports to the Board of Police Commissioners with respect to the performance of duty of such personnel;
- E. Establish schedules and rules with respect to the kind of duties within the department;
- F. Be personally responsible for the review of records with respect to all arrests, accidents and complaints made by or to the department and render a monthly report to the Board of Police Commissioners with respect thereto.
- G. Report to the Board of Police Commissioners any neglect of duty or violation of the department's rules and regulations promptly after any such neglect or violation comes to his/her attention.

7. The chief of police may be suspended or removed from office by the Board of Police Commissioners in accordance with the provisions of Connecticut General Statutes, as it may be amended from time to time.

8. (A) The Board of Police Commissioners may establish policies and procedures regarding the assignment of any member or members of the Police Department to special duty on or near private premises or the highways adjacent thereto within the town whenever in the opinion of said Board the activities conducted thereon shall or may cause persons to congregate or create a hazardous condition, such as construction or utility projects, concerts, sporting events, circuses, carnivals, fairs, motion pictures, outdoor theaters, bars, restaurants or other places to preserve the public safety.

(B) The owner or operator of any such private premises upon which any such activity is conducted within the town shall accept and use the police so assigned to or near such premises and shall pay to the treasurer of the town such rate of compensation as shall be determined by the Board of Police Commissioners for such special duty. Said payment shall be made in accordance with such procedures as shall be established by the Board of Police Commissioners.

(C) Police so assigned to such special duty shall be subject to the rules and regulations of the department.

(D) No person shall operate within the town any construction or utility project, concert, sporting event, circus, carnival, fair, motion picture, outdoor theater, bar, restaurant or other place to which or adjacent to which premises the Board of Police Commissioners has assigned any police without first having accepted and used such number of police as have been assigned thereto.

9. For purposes of this ordinance and transition from the constabulary, the Police Department shall be considered as "established" when the Board of Police Commissioners has adopted such regulations and procedures as may be necessary or desirable for the proper functioning of a police department, and sufficient funds have been appropriated to the Board and a chief of police has been appointed and sworn. The Board of Police Commissioners shall certify to the Town Clerk and the Board of Selectmen the date on which the Police Department is established.

(A) On the date the Police Department is established, the appointment of Constables pursuant to the ordinance entitled "Amended Ordinance Concerning Terms of Appointment and Qualifications of Constables" shall terminate, and the full time officers in active service and in good standing as Constables shall be officers of the Police Department.

(B) On the date the Police Department is established, the ordinance entitled "Resolution Designating First Selectman as Town Agent to act as Chief of Police" shall be repealed.

(C) On the date the Police Department is established, the ordinance entitled "Resolution Regarding Establishment of a Resident State Policeman in the Town of East Lyme" shall be repealed.

10. On the date that the Police Department is established, officers who were appointed by the Board of Selectmen as Constables pursuant to the ordinance entitled "Amended Ordinance Concerning Terms of Appointment and Qualifications of Constables" and are in active service and in good standing on the effective date of this ordinance, shall be officers of the Police Department, with such rank, years of service and other classifications and categories as are commensurate with their positions in the constabulary. Unsworn clerks and administrative personnel who are in active service and in good standing on the effective date of this ordinance shall be employees of the Police Department in positions commensurate with their previous service for the constabulary.

11. On the date the Police Department is established, all business pending with the constabulary, including but not limited to applications, permits, patrols, arrests, investigations, enforcement actions, warrants and all other open or pending items of business of any nature whatsoever, and records of any kind or nature whatsoever pertaining to the law enforcement and administrative functions of the constabulary, shall be transferred to and continue to be pending at the Police Department. All items of property and equipment used in connection with the business of the constabulary shall continue to be used by the Police Department.

12. The effective date of this Ordinance shall be November 15, 2016.