

TOWN OF EAST LYME
POLICE COMMISSION
REGULAR MEETING OF MARCH 8, 2018
MINUTES

MEMBERS PRESENT: Daniel Price, Mark Nickerson, Joseph Perkins, Tony Buglione and Giancarlo D'Angelo, Marc Powers and Thomas Gardner

Also in Attendance: Police Chief Mike Finkelstein and Town Attorney Mark Zamarka

Mr. Price called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

3. Delegations

There were no public delegations.

4. Approval of Minutes

MOTION (1)

Motion by Mr. D'Angelo to approve the Regular Meeting Minutes of February 8, 2018, as submitted. Seconded by Mr. Buglione. In Favor; Messrs. Price, Nickerson, Perkins, Buglione, D'Angelo and Powers. Abstained; Mr. Gardner. Motion passed 6-0-1.

5. Old Business

There was no old business.

6. New Business

a. FOIA Presentation by Town Attorney

Attorney Mark Zamarka was in attendance and gave a presentation on FOIA. Mr. Nickerson noted that all Town departments have recently been hit hard with a lot of FOIA requests; and all departments, boards and commissions are receiving a refresher on this act to assist us in handling this influx of requests.

MOTION (2)

Motion by Mr. Nickerson to add Agenda Item #6j. Discussion and possible action regarding approval of a fifth full time dispatcher.

Seconded by Mr. Perkins. Motion passed 7-0.

b. Executive Session to discuss personnel issues

MOTION (3)

Motion by Mr. D'Angelo. Seconded by Mr. Gardner. Motion passed 7-0.

Commission members entered into executive session at 6:40 p.m. for the purpose of discussing personnel issues – fifth full time dispatcher, and to invite Chief Mike Finkelstein and Sgt. Mike Macek to join them. They returned at 6:45 p.m. and Chairman Price stated that no formal votes were taken.

FILED

Mar 15 2018 AT 2:55 AM/PM

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EAST LYME TOWN CLERK

c. Discussion – new car status / future build outs

Chief Finkelstein reported that one of the new vehicles is being built by Public Works and is scheduled to be completed by the end of the month. The second vehicle was sent to Fleet Auto in West Haven to be built; and Chief reported that we may move toward having all vehicles built by an outside vendor. The situation will be evaluated once both vehicles are complete and timetable and costs can be compared.

d. Discussion – body cameras

Mr. Price stated that there is currently a state grant available for the purchase of body cameras; however, the municipality is responsible for the upfront cost of approximately \$64,000 and then wait for the reimbursement from the State, but the Town does not have the \$64,000 to put up front. Mr. Perkins noted that thirty-two police departments have applied for this grant and have received their funds; four departments currently have applications pending, and there is approximately \$7,300,000 remaining in this state funded grant. The program expires June 30th and then moves to 50% reimbursement from the State starting on July 1st. Chief Finkelstein stated that the cameras are a great tool in regards to evidence and safety, for example; but two major concerns are the cost of storage and the amount of manpower and resources needed to complete FOIA requests and would most like require the addition of an extra person. Mr. Gardner inquired as to how the Town handles the out of pocket expense when we operate under the DUI grant, for example. Mr. Nickerson stated that this particular grant and associated up front expenses are a part of the current budget so it is not a problem; that is the process this commission should take if they wish to work with future grants.

e. Discussion – School Emergency Plan

Chief Finkelstein reported that he is working closely with the Board of Education and the Superintendent of Schools to ensure all of our emergency management personnel and school administration is on the same page as far as safety and security goes for our students and staff. Drills will typically be performed over the summer months. In order to keep all officers up to date on training, one officer goes to regional training each month, which is integrated training with other towns.

MOTION (4)

Motion by Mr. Price to table Agenda Items F and G to the next regular meeting.

Seconded by Mr. D'Angelo. Motion passed 7-0.

h. Appoint a Chairman

Mr. Price stated that we should have addressed this at the first meeting of the year. He stated that it has been a very busy first year and an invaluable learning lesson, and he would look forward to chairing this commission for the upcoming year to take what has been learned and fine tune the process in the coming year. Mr. D'Angelo agreed that this is a new commission and continuity is important this early on so he agrees with Mr. Price that we should keep it status quo for the upcoming year. Mr. Price opened up the floor for nominations.

MOTION (5)

Motion by Mr. Gardner to nominate Giancarlo D'Angelo as Chairman.
Seconded by Mr. Perkins. Motion failed 0-7.

MOTION (6)

Motion by Mr. Powers to appoint Daniel Price as Chairman of the Police Commission with a term to expire on January 3, 2022.
Seconded by Mr. Nickerson. Motion passed 7-0.

i. Appoint a Secretary

MOTION (7)

Motion by Mr. Nickerson to appoint Giancarlo D'Angelo as Secretary of the Police Commission with a term to expire on January 3, 2022.
Seconded by Mr. Gardner. Motion passed 7-0.

j. Appoint fifth full time dispatcher

MOTION (8)

Motion by Mr. Gardner to appoint Jason Finnigan as the fifth full time dispatcher for the Town of East Lyme effective April 1, 2018, pending Board of Finance approval at their March 14, 2018 meeting.
Seconded by Mr. D'Angelo. Motion passed 7-0.

7. Chief's Report

Chief Finkelstein gave a summary review of the February 2018 Monthly Report, which is attached hereto as Exhibit 1. He reported that during the storm on March 2nd, the police department responded to 97 calls over a 24 hour period. And again on March 7th, this storm caused icing on the communication tower equipment which caused interference in the radio system. He indicated that they were prepared to switch over to the backup system in Waterford, but that the wind and ice shifted and the equipment/interference cleared. He noted that there is also a regional mobile unit that is housed in East Lyme that we have available to use if needed. Also not captured on his report is that the AFIS machine has been ordered and is on its way; this will be housed in the lobby of the police department to assist residents with their fingerprinting needs. He reported that it was recently decided to move all animals from the Waterford ACO facility into the New London shelter due to the bad conditions at the Waterford facility. He noted that the Board of Selectmen voted last night to approve the MOU to open discussions with Waterford, Montville and New London regarding a regional ACO facility. Sgt. Macek reported that the Commission needs to be proactive in planning ahead the next couple of years as there are a number of officers that are within retirement age.

8. Chairman's Report

There was none.

9. Subcommittee Report

a. Chief Review – Mr. Powers reviewed the two examples he brought forth to the commission for review; Waterford and Stonington. He noted that Waterford's is a general performance review that covers all employees of the Town. Mr. Powers noted that Stonington has a separate performance review form that applies specifically to police officers and also includes a self evaluation.

b. Mr. Gardner reviewed his findings on how other towns handle traffic tickets and the overall appeal process. Of all the different examples of tickets that have been reviewed, Stonington's process would fit most appropriately into our town's needs. He found that the process of appeals is being handled in a few different ways; phone call to the Chief, appointments to meet with the Chief in person, the Police Commission and a civilian appeal board. After his research, Mr. Gardner suggests a civilian appeal board as the appropriate process for our Town.

MOTION (9)

Motion by Mr. Price to adopt the template used by the Stonington PD for East Lyme Police Department traffic tickets, and to approve a 3-person civilian board be created to address the appeal process; and to direct the Chief of Police to appoint members to this Civilian Appeals Board.

Seconded by Mr. Buglione. Motion passed 7-0.

10. Communications

Mr. Buglione handed out a working document to review regarding the bingo, bazaar and raffle permit fees. This process has historically been performed at the State level, but has recently been passed down from the State to the local municipal level and put in the hands of the Police Chief. This working document is attached hereto as Exhibit 2.

11. Public Comment

There was none.

12. Commission Response

There was none.

13. Adjournment

MOTION (10)

Mr. Perkins moved to adjourn the March 8, 2018, regular meeting of the Police Commission at 8:00 p.m.

Seconded by Mr. Buglione. Motion passed 7-0.

Respectfully submitted,



Sandra Anderson
Recording Secretary

EAST LYME POLICE DEPARTMENT

Chief's Monthly Report – February 2018



CONTENTS

Section 1 : Noteworthy incidents/information

Section 2 : Community Outreach and Correspondence

Section 3 : Administrative

Section 4 : Statistical Activity Summary

Section 1: Noteworthy Incidents/Information

The East Lyme Police Department App & Tips411 have been utilized 35 times since being implemented. We are working with the Superintendent who has including this in a letter to parents, and we are currently working on increasing ways to make middle school/high school students aware.

On March 2, 2018 the Town of East Lyme Police Department responded to 97 calls for service during a 24 hour period. This included Officers being assigned to 31 Utility Emergencies for 20 hrs 51 minutes and 5 homes struck by trees. We are grateful for the hard work and professionalism displayed by our Dispatchers, Officers, Fire, and Public Works Crews.

Performance Evaluations

Detective Comeau received a positive performance evaluation for his work as Evidence Officer. The Chief also received a letter from a resident praising the work of Detective Comeau in helping to resolve a weapons related issue.

Section 3: Administrative

Accident Analysis—February, 2018

- 18 Accidents occurred in December
- 5 Crashes on Flanders Rd
- 2 Crashes on Chesterfield Rd
- 3 Crashes on Main St/W. Main St
- 3 Crashes Roxbury Rd

East Lyme Dispatch Center

- 1,403 phone call volume for month
- Busiest hours – 3pm (97), 2pm (94), 8am (94)

Animal Control Division Activity—February, 2018

- 13 Animal Incident Calls in East Lyme

Budgetary

- Total Budget – 66%
- Overtime – 65%
- Asset Forfeiture Balance - \$9,493

Use of force

- No use of force

Handwritten note: + \$3,150.00

East Lyme Charitable Gaming Fees Bingo, Bazaar and Raffles

Bingo, Bazaar or Raffle Permits

The tables below show the bingo, bazaar and permit fees that the Town of East Lyme will charge for a permit under CGS 7-169 thru 7-181.

Bingo Permit Fees

Type	Permit Fee
Class A (1 day per week)	\$75.00
Class B (max. 10 consecutive days)	\$10.00 p/day
Class C (1 day per month)	\$50.00

Explanation of Bingo Permits per CGS 7-169

Class A- which shall be annual one-day-per-week permits and shall permit the conduct of not more than forty and not less than fifteen bingo games on such day.

Class B- which shall permit not more than forty and not less than fifteen bingo games per day for a maximum of ten successive days.

Class C- which shall be annual one-day-per-month permits and shall permit the conduct of not more than forty and not less than fifteen bingo games on such day.

Summary- Class A permits shall allow the playing of bingo no more than one day weekly. Not more than two Class B permits shall be issued to any one organization within any twelve-month period. Class C permits shall allow the playing of bingo no more than one day per month.

Bazaar and Raffle Permits Fees

<u>Type</u>	<u>Permit Fee</u>
Class 1	\$75.00
Class 2	\$30.00
Class 3	\$60.00
Class 4	\$15.00
Class 5	\$120.00
Class 6	\$150.00
Class 7	\$300.00

Explanation of Bazaar and/or Raffle Permits per CGS 7-175

Class 1-Shall allow the operation of a raffle which shall be consummated within three months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than fifteen thousand dollars.

Class 2-Shall allow the operation of a raffle which shall be consummated within two months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than two thousand dollars.

Class 3- Shall permit the operation of a bazaar for a period of not more than ten consecutive days, excluding legal holidays and holy days on which the bazaar is not functioning. Any bazaar held under the authority of any such permit shall be held within six months of the granting of such permit.

Class 4- Shall allow the operation of a raffle which shall be consummated within one month of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than one hundred dollars.

Class 5- Shall allow the operation of a raffle which shall be consummated within nine months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than fifty thousand dollars.

Class 6 - Shall allow the operation of a raffle which shall be consummated within one year of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than one hundred thousand dollars.

Class 7 - Shall allow the operation of a raffle which shall be consummated within fifteen months of the granting of the permit, shall allow no more than twelve prize drawings on separate dates and the aggregate value of the prize or prizes offered shall be not more than fifty thousand dollars.

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Connecticut Charitable Gaming Laws

Connecticut Bingo, Bazaars and Raffles by Chuck Humphrey

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§ 7-169. Bingo

(a) **Definitions.** The term "bingo" is defined as the name of a game in which each player receives a card containing several rows of numbers and, as numbers are drawn or otherwise obtained by chance and publicly announced, the player first having a specified number of announced numbers appearing on his card in a continuous straight line or covering a previously designated arrangement of numbers on such card is declared the winner. The word "person" or "applicant", as used in this section, means the officer or representative of the sponsoring organization or the organization itself. The term "session" means a series of games played in one day. "Executive director" means the executive director of the Division of Special Revenue within the Department of Revenue Services who shall be responsible for the administration and regulation of bingo in the state.

(b) **Vote of Municipality.** Upon a written petition of five per cent or more of the electors of any municipality requesting the selectmen, common council or other governing body of such municipality to vote upon the question of permitting the playing of bingo within such municipality, such governing body shall vote upon such question and, if the vote is in the affirmative, it shall be permitted, subject to the restrictions herein set forth, and if the vote is in the negative, bingo shall not be permitted to be played in such municipality. When the selectmen, common council or other governing body of any municipality have voted favorably upon the question of permitting the playing of bingo within such municipality, the playing of such game shall be permitted in such municipality indefinitely thereafter, without further petition or action by such governing body, unless such governing body has forbidden the playing of said game upon a similar written petition of five per cent or more of the electors of such municipality, whereupon bingo shall not be permitted to be played after such negative vote.

(c) **Regulations.** The executive director of the Division of Special Revenue, with the advice and consent of the Gaming Policy Board, shall adopt, in accordance with the provisions of chapter 54, [FN1] such regulations as are necessary effectively to carry out the provisions of this section and section 7-169a in order to prevent fraud and protect the public, which regulations shall have the effect of law.

(d) **Sponsorship.** No bingo game or series of bingo games shall be promoted, operated or played unless the same is sponsored and conducted exclusively by a charitable, civic, educational, fraternal, veterans' or religious organization, volunteer fire department or grange. Any such organization or group shall have been organized for not less than two years prior to its application for a bingo permit under the terms of this section. The promotion and operation of said game or games shall be confined solely to the qualified members of the sponsoring organization, except that the executive director of the Division of Special Revenue may permit any qualified member of a sponsoring organization who has registered with the executive director, on a form prepared by him for such purpose, to assist in the operation of a game sponsored by another organization. The executive director may revoke such registration for cause.

(e) **Application for permit.** Any eligible organization desiring to operate bingo games in any municipality in which the governing body has voted to permit the playing thereof shall make application to the executive director of the Division of Special Revenue, which application shall contain a statement of the name and address of the applicant, the location of the place at which the games are to be played and the seating capacity of such place, the date or dates for which a permit is sought, the class of permit sought and any other information which the executive director reasonably requires for the protection of the public, and, upon payment of the fee hereinafter provided for, the executive director is authorized to issue such permit, provided such eligible organization has been registered by him as provided in section 7-169a.

(f) **Bingo permits.** Permits shall be known as "Class A" which shall be annual one-day-per-week permits and shall permit the conduct of not more than forty and not less than fifteen bingo games on such day, and "Class B" which shall permit not more than forty and not less than fifteen bingo games per day for a maximum of ten successive days, and "Class C" which shall be annual one-day-per-month permits and shall permit the conduct of not more than forty and not less than fifteen bingo games on such day. "Class A" permits shall allow the playing of bingo no more than one day weekly. Not more than two "Class B" permits shall be issued to any one organization within any twelve-month period. "Class C" permits shall allow the playing of bingo no more than one day per month.

(g) **Permit fees.** Permit fees shall be remitted to the state as follows: "Class A", seventy-five dollars; "Class B", five dollars per day; "Class C", fifty dollars.

(h) **Records of receipts and disbursements.** Each person who operates bingo games shall keep accurate records of receipts and disbursements, which shall be available for inspection by the executive director. Any information acquired by the executive director pursuant to this subsection shall be available to the Commissioner of Public Safety upon request.

(i) **Prizes.** Prizes offered for the winning of bingo games may consist of cash, merchandise, tickets for any lottery conducted under chapter 226, [FN2] the value of which shall be the purchase price printed on such tickets, or other personal property. No permittee may offer a prize which exceeds fifty dollars in value, except that (1) a permittee may offer a prize or prizes on any one day of not less than fifty-one dollars or more than two hundred dollars in value, provided the total value of such prizes on any one day does not exceed six hundred dollars, (2) a permittee may offer one or two winner-take-all games or series of games played on any day on which the permittee is allowed to conduct bingo, provided ninety per cent of all receipts from the sale of bingo cards for such winner-take-all game or series of games shall be awarded as prizes and provided each prize awarded does not exceed five hundred dollars in value, (3) the holder of a Class A permit may offer two additional prizes on a weekly basis not to exceed one hundred twenty-five dollars each as a special grand prize and in the event such a special grand prize is not won, the money reserved for such prize shall be added to the money reserved for the next week's special grand prize, provided no such special grand prize may accumulate for more than sixteen weeks or exceed a total of two thousand dollars, and (4) a permittee may award door prizes the aggregate value of which shall not exceed two hundred dollars in value. When more than one player wins on the call of the same number, the designated prize shall be divided equally to the next nearest dollar. If a permittee elects, no winner may receive a prize which amounts to less than ten per cent of the announced prize and in such case the total of such multiple prizes may exceed the statutory limit of such game.

Sec. 7-175. Kinds of permits. Permits under the provisions of sections 7-170 to 7-186, inclusive, shall be of seven kinds. "Class No. 1" permits shall allow the operation of a raffle which shall be consummated within three months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than fifteen thousand dollars. "Class No. 2" permits shall allow the operation of a raffle which shall be consummated within two months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than two thousand dollars. "Class No. 3" permits shall permit the operation of a bazaar for a period of not more than ten consecutive days, excluding legal holidays and holy days on which the bazaar is not functioning. Any bazaar held under the authority of any such permit shall be held within six months of the granting of such permit. "Class No. 4" permits shall allow the operation of a raffle which shall be consummated within one month of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than one hundred dollars. "Class No. 5" permits shall allow the operation of a raffle which shall be consummated within nine months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than fifty thousand dollars. "Class No. 6" permits shall allow the operation of a raffle which shall be consummated within one year of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than one hundred thousand dollars. "Class No. 7" permits shall allow the operation of a raffle which shall be consummated within fifteen months of the granting of the permit, shall allow no more than twelve prize drawings on separate dates and the aggregate value of the prize or prizes offered shall be not more than fifty thousand dollars. No more than one "Class No. 1" permit, two "Class No. 3" permits, one "Class No. 4" permit, five "Class No. 5" permits, five "Class No. 6" permits or three "Class No. 2" permits shall be issued to any qualifying organization within any one calendar year. The aggregate value of prizes offered under any of such permits shall represent the amount paid by the applicant for the prize or prizes or the retail value of the same if donated.

Bingo, Bazaar, or Raffle Permit Fees

The tables below show (1) prior law's bingo, bazaar or raffle permit fees, and (2) the maximum amount a municipality may charge for a permit under the act.

Bingo Permit Fees

	<i>Prior Law</i>	<i>Under the Act</i>
Type	Permit Fee	Municipality may charge up to:
Class A	\$75	\$75 /
Class B	\$5 per day	\$10 per day /
Class C	\$50	\$50 /

Bazaar or Raffle Permit Fees

	<i>Prior Law</i>	<i>Under the Act</i>
Type	Permit Fees	Municipality may charge up to:
Class 1	\$25 to state \$25 to municipality	\$75
Class 2	\$10 to state \$10 to municipality	\$30
Class 3	\$10 per day to state \$10 per day to municipality	\$60 per day
Class 4	\$5 to municipality Nothing to state	\$15
Class 5	\$40 to state \$40 to municipality	\$120
Class 6	\$50 to state \$50 to municipality	\$150
Class 7	\$100 to state Nothing to municipality	\$300

NOTE: For all permit classes, the act requires municipalities to investigate an applicant's qualifications when the total aggregate value of the prize exceeds \$7,500.