

**Southern Police Commission
Continuation Meeting
Presentation and Consideration of New Freedom Borough's Terms of Continuation
And
Southern Regional Police Officers Association Memorandum
March 21, 2017**

A public continuation meeting of the Southern Police Commission was held on Tuesday, March 21, 2017 at the New Freedom Borough Council Chambers, 49 East High Street, New Freedom, PA 17349.

Commission Members Present: Chief Boddington, Buck Buchanan, Roy Burkins, Jeff Halapin, Robert Herzberger, Mike Sharkey*, Brady Terrell*, John Trout, Doug Young*

Commission Members Absent: Rollin Apgar, Jeff Blum

Alternate Members Present: Bruce Merrill, John-Paul Whitemore, Victoria Ribeiro

Seated in Audience: Commissioner Peter Schnabel

Solicitor: Peter Ruth

* Empaneled Alternates

PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairman John Trout at 19:03 with the pledge of allegiance to the flag and a moment of silence in remembrance for police, fire and EMS responders who have given their lives in service to their communities.

CHAIRMAN'S ANNOUNCEMENTS

John Trout announced the purpose of the meeting is to consider New Freedom Borough's Terms of Continuation and the Officer's Memorandum.

READING OF NEW FREEDOM BOROUGH TERMS OF CONTINUATION

Copies of the Terms of Continuation document were provided to all members, alternates, and several spare copies were available to citizens attending in the audience. It was agreed that the Commissioners would read the document interactively. As the reading began, Commissioner Schnabel asked the Chairman if it would be appropriate for the Officer's Memorandum to be read first. This request was agreed to.

READING OF OFFICERS ASSOCIATION MEMORANDUM

Officer Paul Heffner, Association President, read the memorandum. Copies had been made available to the Commission members and alternates, and copies were available for audience members interested, attached to the Terms of Continuation document. The Officers Association proposed concessions to promote the survival of the Department by agreeing to extend the current Collective Bargaining Agreement (CBA) by one year, through December 31, 2018, with no wage increase during the extension period. There was general discussion regarding the offer by the Officer's Association. A copy of the referenced memorandum is included and made a part of these minutes. A script signatures appear on the physical document submitted and read to the Commission.

CONTINUED READING OF NEW FREEDOM BOROUGH TERMS OF CONTINUATION

Commissioner Jeff Halapin continued to read the referenced document. When the reading got to the bottom of page 1 and top of page 2, the reading was interrupted by Commissioner Buchanan and the discussion began about how the numbers used were determined and several other comments.

Chief Boddington announced that Sgt. Smuck had come to work early today to complete a review of the 2016 performance metrics and had formed a more accurate set of base-line numbers from which to work compared to the numbers in the Terms document. A second document was produced by Sgt. Smuck showing a proposed number of Police Patrol Units (PPUs) for each municipality, the percentage of total 2017 Department budget it represented for each municipality, the dollar amount that could have resulted for 2017 if the PPU formula were in place, and compared it with the current formula cost allocation. Copies of these two documents are included with, and made a part of, these minutes.

A lively discussion continued among the Commissioners and Alternates, with interaction from the audience. An observation was made by one audience member that much of the discussion included an obvious clash of egos between Commission members.

Commissioner Halapin was able to continue to read the document with interspersions of more discussion that continued after the reading was concluded. A copy of the referenced Terms of Continuation is included and made a part of these minutes. Script signatures appear on the physical documents submitted and read to the Commission.

During the discussion, Solicitor Peter Ruth suggested consideration of the concept [that](#) the Terms of Continuance (the "Terms") were an agreement among the Borough Councils to implement the changes referenced in the Terms into a new, modified Joint Municipal Agreement. The Terms would not become the new Joint Agreement but the terms contained in the Terms would be added to a "Second and Restated Joint Municipal Agreement for Police Services." Commissioner Halapin indicated agreement with that concept.

CONTINUED DISCUSSION

It was reiterated by Commissioner Buchanan that the Chief and his staff shall have a budget prepared for the upcoming year for review by the Commission and submission to the member municipalities by 1 September of each year.

Costs for each municipality shall be based on obligated time, translated into PPU's,, as determined by the Chief and his staff with guidance by Mr. Smeal.

MOTIONS:

A motion was made by Commissioner Mike Sharkey, seconded by Commissioner Brady Terrell, that the Commissioners are to take the New Freedom Borough Terms of Continuation document, as well as the Officer's Association Memorandum, to their Borough Councils for consideration, as written. The motion carried unanimously.

20:33 - Jeff Halapin made a motion to adjourn; seconded by Roy Burkins. Motion carried.

NEW FREEDOM BOROUGH

49 E HIGH ST
NEW FREEDOM PA 17349
(717)235-2337

March 21, 2017

Southern Regional Police Commission
47 East High Street
New Freedom, PA 17349

RE: New Freedom Borough Terms of Continuation

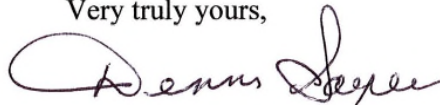
Dear Commission Members:

I am happy to report that the New Freedom Borough Council approved the enclosed Terms of Continuation at its meeting on March 20, 2017. In the spirit of good faith and cooperation, New Freedom Borough has embraced the recommendations of the Commission's Consultant, W. Ronald Smeal. We fully support the implementation of police protection units. However, we also recognize that the Police Department and Chief Boddington must be empowered and provided the appropriate tools to implement the PPU system. Therefore, we have agreed to hire Mr. Smeal to work with the Department and Chief Boddington to implement policies and procedures for the smooth transition to PPUs.

Furthermore, we are happy to report that the Southern Regional Police Officers Association has agreed to extend the current Collective Bargaining Agreement for one year pursuant to the attached Memorandum. This extension will permit the full implementation of PPUs to see if that is a working model for the Department.

In recognition of the limited time that we have to implement these changes, we have included an April 30, 2017 deadline for approval of the Terms of Continuation. We will request that each municipality execute the enclosed document and return it to New Freedom Borough by that date. Furthermore, if all do accept the Terms of Continuation, we would need to prepare an ordinance and an amendment to the current Agreement for Law Enforcement Services implementing the changes set forth in the Terms of Continuation.

Very truly yours,



Dennis Sarpen, President
New Freedom Borough Council

cc: Borough of Glen Rock
Borough Stewartstown
Borough of Shrewsbury
Borough of New Freedom

**NEW FREEDOM
BOROUGH**

TERMS OF CONTINUATION

Set forth below are the terms and conditions by which New Freedom Borough shall continue as a Member Municipality of the Southern Regional Police Department beyond December 31, 2017.

1. Article I of the Southern Regional Police Department Amended and Restated Joint Municipal Agreement for Law Enforcement Services (“Agreement”) shall be amended by the addition of the following section:

Section K: The written notice provided by Glen Rock and New Freedom notifying the Commission of their intent to withdraw from this Agreement effective December 31, 2017 shall be extended for one (1) year. The withdrawal for both municipalities shall now have an effective date of December 31, 2018. Glen Rock and New Freedom shall not be required to provide any further notice or conduct any other hearing in order to withdrawal from this Agreement.

2. **Article IV, Section A** of the Agreement shall be deleted and replaced with the following:

Section A: All costs of the Department for police services, including, without limitation, employee payroll and benefits and vehicle and headquarter operating expenses, shall be apportioned to each Member Municipality using a Police Protection Unit (“Unit”) basis. Each Member Municipality shall commit to purchase Units of service starting July 1, 2017 and annually thereafter. Effective July 1, 2017, the Units of service allocated to each Member Municipality shall be as follows:

- a. Shrewsbury Borough – 18.26 Units;
- b. New Freedom Borough – 16.04 Units;

- c. Glen Rock Borough – 7.69 Units; and
- d. Stewartstown Borough – 10.96 Units.
- e. Remainder shall be allocated per existing contracts.

One Unit is the equivalent of ten (10) hours of police service per week for fifty-two (52) weeks per year. The value of Units shall be subject to review annually by the Commission based on the budget approved by the Commission. No Member Municipality may reduce its Units below that required to professionally handle its obligated activity as calculated on a three year average.

3. The first sentence of **Article VIII, Section A** of the Agreement shall be amended to read as follows:

Section A. The Chief of Police shall initially prepare a draft of the Department's annual budget for consideration by the Commission no later than September 1 of the year preceding the budget year. Thereafter, the Commission shall review and approve the Department's annual budget no later than November 1 of the year preceding the budget year.

4. Prior to July 1, 2017, the Commission shall have entered into a one (1) year contract with the Southern Regional Police Officers Association extending the Collective Bargaining Agreement through December 31, 2018 in accordance with the Association's Memorandum dated March 20, 2017. The extension shall only be accepted by the Commission if the Terms of Continuation are accepted and implemented as more fully set forth herein.

5. New Freedom Borough has agreed to hire W. Ronald Smeal, of W.R. Smeal Police Management Consultant, to provide guidance and oversight with respect to the implementation of Police Protection Units. The Commission shall agree to permit Mr. Smeal access to any and all information and personnel, to effectively implement a time recording and allocations system necessary to calculate and record Police Protection Unit hours. He will also

be given access to and the full cooperation of the Chief of Police and appropriate administrative staff to make recommendations and implement administrative systems for the implementation of Police Protection Units by July 1, 2017. The Chief of Police will also work with Mr. Smeal in order to implement policies and procedures to allocate and assign police officer time to provide proper police service to each Member Municipality in accordance with their purchased Units.

6. The Chief shall develop with Mr. Smeal a staffing recommendation for the Department's detectives, sworn officers and administrative staff and report to the Commission their findings no later than August 1, 2017. The Commission shall implement the administrative staffing recommendations no later than September 1, 2017. The staffing recommendations shall incorporate any additional administrative staff time needed to administer Unit time record keeping and reporting.

7. As part of the budget preparation, the Chief shall prepare and present to the Commission a five year capital plan setting forth the projected annual capital purchases proposed for the Department. If recommended by Mr. Smeal, the Commission shall provide formal training to the Chief on budgeting preparation and management.

8. The Chief, not the Commission, shall have oversight and direction for the implementation and administration of policing Units. Although the Commission has the obligation to oversee the general direction of the Department, the parties agree that the success of implementing policing Units is incumbent upon the Chief learning, understanding and following the core policies and administering procedures underlying Unit based policing formulas. In order to ensure the future success of the Department, the Commission agrees to empower the Chief to do his job but keep him accountable to the Commission for clear reporting and management of the Units purchased by all Member Municipalities.

9. Each Member Municipality shall approve, accept and execute the Terms of Continuation no later than April 30, 2017 and each Member Municipality shall adopt an ordinance amending the Southern Regional Police Department Amended and Restated Joint Municipal Agreement for Law Enforcement Services consistent herewith no later than May 31, 2017.

ATTEST:

BOROUGH OF NEW FREEDOM

Secretary

By: _____
Council President

Date: _____

The Terms of Continuation are hereby accepted and approved by the following Member Municipalities:

ATTEST:

BOROUGH OF SHREWSBURY

Secretary

By: _____
Council President

Date: _____

ATTEST:

BOROUGH OF STEWARTSTOWN

Secretary

By: _____
Council President

Date: _____

ATTEST:

BOROUGH OF GLEN ROCK

Secretary

By: _____
Council President

Date: _____

IACP FORMULA

SRF 2.5100

Municipality	Total Calls	137 Outside Jurisdiction	Obligated Time	Total Hours	Patrol Officers Needed	Officer Total Staffing	Municipality Percentage	Total Fixed Positions	Fixed Positions per municipality	Suggested Officer Compliment
Shrewsbury	1502	48	1126.50	3379.50	0.77	2.0138	32.13%	5.00	1.6064	3.6202
New Freedom	1320	43	990	2970.00	0.68	1.7698	28.24%	5.00	1.4118	3.1816
Glen Rock	631	19	473.25	1419.75	0.32	0.8460	13.50%	5.00	0.6749	1.5209
Stewartstown	899	27	674.25	2022.75	0.46	1.2053	19.23%	5.00	0.9615	2.1668
Railroad	99		74.25	222.75	0.05	0.1327	2.12%	5.00	0.1059	0.2386
Winterstown	110		82.5	247.50	0.06	0.1475	2.35%	5.00	0.1176	0.2651
School District	114		85.5	256.50	0.06	0.1528	2.44%	5.00	0.1219	0.2748

Totals

4675	137	3506.25	10518.75	2.40	6.2680	100.0000%	5.00	5.0000	11.2680	
4675										

* Total calls include 137 outside jurisdiction added to full time municipalities by their %

CURRENT STAFFING LEVELS WITH CORRECT INCIDENT WS ALL PPU					
	PPU	% Budget	PPU Amount	2017 Budget	Difference
Shrewsbury Borough	18.31	32.13%	579,777	498,667	81,110
New Freedom Borough	16.10	28.24%	509,583	543,564	-33,981
Glen Rock Borough	7.70	13.50%	243,604	250,904	-7,300
Stewartstown Borough	10.96	19.23%	347,000	399,098	-52,098
Railroad Borough	1.20	2.11%	38,074	15,000	23,074
Winterstown Borough	1.34	2.35%	42,405	42,240	165
Southern School District	1.39	2.44%	44,029	55,000	-10,971

57 100.00% 1,804,473

* Estimated based off 2017 total budget of \$1,804,473. PPU's for contacted municipalities will need revised based on their budgets and needs

MEMORANDUM
3/20/2017

To: Southern Regional Police Commission
Attn: Chairman John Trout
47 E High Street
New Freedom, PA 17349

From: Southern Regional Police Officers Association
47 E High Street
New Freedom, PA 17349

The Southern Regional Police Officers Association recognizes the trying times facing the Commission and Member Municipalities. To compound these stressors, the Commission and Association are fast approaching the deadline to initiate contract negotiations. In the interests of all parties involved, the Association would like to propose an offer in hopes that the focus and efforts of the Commission and Member Municipalities to resolve current concerns continue to maintain the high level of dedication they have been receiving.

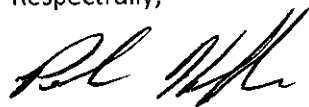
The Southern Regional Police Officers Association proposes that the following:

- 1) The current CBA be extended for one (1) year beginning January 1, 2018 to December 31, 2018 with a 0% wage increase for this period;
- 2) The extension agreement will contain the written guarantee that all Officers are protected against any lay-off or furlough during this period; and
- 3) The remaining terms of the current CBA shall continue and be unchanged during this period.

We understand that this extension agreement is contingent upon all Member Municipalities being in agreement with our offer.

It is the sincere hope this offer will be well-received by the Commission and Member Municipalities and that this will help aid in the continued, focused dedication by those involved in making every effort to secure the Southern Regional Police Department's future.

Respectfully,



Southern Regional Police Officers Association
Officer Paul Heffner – Association President
47 E High St,
New Freedom, PA 17349