

**Southern Police Commission  
Monthly Meeting  
September 5, 2018**

A public meeting of the Southern Police Commission was held on Wednesday, September 5, 2018. The meeting convened at the New Freedom Borough Council Chambers, 49 East High Street, New Freedom, PA 17349.

**Commission Members Present:** Donna Benton (Seated Alternate), Roy Burkins, Rob Herzberger, Mike Sharkey, Andrew Stewart, John Trout, John-Paul Whitmore (Seated Alternate)

**Solicitor:** Peter Ruth

**Police Department Staff:** Chief James Boddington, Financial Administrator Gail Prego, Administrator Diana DeMoss, Sgt. Teague, Sgt. Smuck, Ofc. Heffner

**Members Absent:** Buck Buchanan, Bruce Merrill, Larry O'Brien,

PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairman Trout at 19:03 with the pledge of allegiance to the flag and a moment of silence for fallen first responders, police officers, firefighters, and EMT's who lost their lives in the line of duty.

CHAIRMAN'S ANNOUNCEMENTS

- Chairman Trout received a letter from New Freedom Borough appointing Donna Benton as the Alternate Member for the Borough of New Freedom. Ms. Benton replaces Jeff Blum in this capacity.
- Chairman Trout presided over the swearing in of Donna Benton.

PUBLIC COMMENTS

- Chairman Trout requested public comments. There were none.

NEW POLICE OFFICERS SWORN IN

- District Magistrate Lindy Sweeney conducted the swearing in of two new police officers:
  - Benjamin Grove
  - Robert Swartz
- Families of the officers were in attendance. Each officer made brief comments and family introductions after having been sworn in.
- Judge Sweeney offered comments regarding the relationship between the Department, the officers and the Court, and expressed her appreciation for the officers and their work.
- The new officers introduced themselves personally to each individual Commissioner.

REVIEW & APPROVAL OF AUGUST 2018 MEETING MINUTES

- Recording Secretary Kirschman mentioned that Commissioner Buchanan had noted a word missing from a sentence, that it had been corrected, and that the corrected minutes had been sent to commissioners via email.
- Commissioner Sharkey commented that his clarification of remarks from a previous meeting (Sec'y note: July meeting) had not been transmitted to the Recording Secretary. He requested that the Commission delay action on the August minutes until we can see the completed minutes of the previous meeting. The Chairman asked him if he would put that in the form of a motion, which he did. The motion was seconded by Commissioner Burkins. A vote was taken and the delay of the approval of the August minutes was approved with an Aye vote.

REVIEW & APPROVAL OF AUGUST 2018 EXPENDITURES

- Expenses for July 2018 were presented by Finance Administrator Prego leading the discussion.

- Revenues through July remain ahead of forecast due to School Districts contributions. There will be quarterly billing.
- By August we will begin to go over budget due to the new officers being in place.
- Overtime is being offset by departed Ofc. Bishop's wages not being paid.
- Health insurance premiums were budgeted too high explaining the under-running.
- Operating expenses are off due to timing. There are a lot of expenditures not made until the end of the year including ammo, Tasers, and new body armor for Ofc. Carey.
- Personnel expenses have been off due to insurance costs that we've budgeted that haven't occurred and workman's comp plan costs. As new officers come on board these expenses are projected to increase.
- Camera repair and replacement expenses are up slightly and show under occupancy expenses. These expenses are being covered by the lack of cleaning services costs, which we are trying to rectify now.
- The new car is in, and the expenses associated with up-fitting that are coming in.

A motion was made by Commissioner Sharkey to approve expenses for July check detail including several ACH's (electronic transfers) and check numbers 10875 through 10893 for \$129,246.41. The motion was seconded by Commissioner Stewart. The motion passed with an Aye vote.

- Financial Administrator Prego reported that a Pension Audit is being conducted for four years, 2014 through 2017. The Department is required to have a CAO or Chief Administrative Officer for the Pension Plan. That responsibility had been taken by Pat Miller and transferred to Gina, both of whom are no longer here. Financial Administrator Prego explained that she's an independent contractor and this work is not covered in her contract or business insurance. Administrator Prego also pointed out that she's doing a lot of HR work that is not covered by her contract or the business insurance that she carries.
- The CAO is responsible for the administration of the Pension Plan. We do outsource to PMRS to do the bulk of the work but someone in the Department receives the data and take responsibility for accuracy.
- Solicitor Ruth recommended that Chief Boddington could take oversight and signatory responsibility for the work while overseeing someone else who's properly qualifies to perform the actual work. Administrator Prego commented that Ofc. Hefner could assume that responsibility as he's also the officer's association representative. There was detailed discussion. The workload requirements for HR work and pension admin are not sufficient for a full time person.
- A motion was made by Commissioner Sharkey to appoint Chief Boddington as interim CAO, seconded by Commissioner Whitmore. A vote was called by the Chairman, all consented by an Aye vote.
- The Commissioners statements of financial interest are also part of the audit.

#### CHIEF'S REPORT

- Chief Boddington reviewed and explained the reports through August 4 that had been provided to the Commissioners. The report is one month behind due to meeting schedule. The report continues to be near target values for time and calls. The reported values regarding enforcement are affected by the shortage of officers and will continue until the new officers have cleared their training interval.
- Overtime is up a little bit due to personnel shortage, vacations, etc. The Sergeants and Chief are filling shifts to help limit overtime. Administrators DeMoss and Prego are covering some of the administrative load that the Sergeants and Chief normally work. The Sergeants are planning the shift calendar ahead to make sure shifts are covered until the "new guys" are in the field.
- Commissioner Benton asked if it's unusual for New Freedom to have the 5 week difference be so much higher than Shrewsbury. Chief explained that it could be the opposite the next month. Variables include, for example, a burglary where arrests are made and investigations that go to trial one or more

months later and the preparation and court time is charged to the municipality where the original incident occurred, which may be months later. Sgt. Teague provided further clarification.

- Sgt. Smuck has been working on the report for the trial PPU period from July 2017 to July 2018 as directed by the Commission. A copy of the report was presented to the Commissioners and is included with these minutes.
- Sgt. Smuck explained the content of the report. He explained that we hadn't fully moved over to the PPU system until January 1, 2018. The PPU-based formula is based on 2 to 3 year reporting periods. The report presented is based on information available from July 1, 2017 through June 30, 2018. He explained:
  - The shift relief factor, which is documented on the second page (back) of the report.
  - The bottom left of the report lists the municipalities, call volume for 2016, the call volume for the sample period 7/1/17 through 6/30/18, and a two-year average to create a projected call volume. The OJ% is the Out of Jurisdiction calls volume of 107, which is mutual aid given to other departments. It should be recognized that mutual aid works both ways, and that we receive mutual aid from other departments in roughly the same amount. The calculation divides total mutual aid calls based on percentage of other calls for each municipality and attributes the PPUs proportionally that way.
  - Commissioner Herzberger stated that we were to use three years of data and questioned why the data that was used wasn't from a different time period. He suggested that the 2018 data be annualized. A detailed discussion followed.
  - Sgt. Smuck pointed out that the data for the recently measurement periods may be problematic due to the personnel shortages during the period and what the data would have been different had we been able to have greater call volume due to self-generated calls (traffic stops, etc.) in addition to 911-dispatched calls with a full patrol staff.
  - An average call, per the PPU formula, is 45 minutes.
  - The SRO's are projected to account for between 3.23 and 3.7 PPU's.
  - The projected PPU's for the non-member municipalities are listed, with comparison with what they're currently paying for (2018 column) compared to what they should be paying for based on call volume (2019 column).
  - The officer count, with the part-time officer, is 15.25.
- Sgt. Smuck comment that this is a draft based on information available. He asked the Commission to provide the Chief with other parameters if that is what they wanted used.

Chief Boddington reported the following events:

- New car: The new car is in, and it's paid for. The plan had been to get rid of one or two of the older cars that were increasing maintenance costs. Light bars, sirens, and radios could have been salvaged. However, with the requirement to have marked cars at the schools for the SRO's, we have kept those two cars. As a result, the costs will exceed the budget for the new car. However, we've received reimbursement from the Federal Government for previous DEA activities, and the revenue resulting for a request for sealed bids for the old ambulance should result in additional funds to offset this cost. Painting is completed, and decals and equipment have been ordered. The new car is a 2018 Charger. It should be on the road by the end of the month.
- Enforcement:
  - Calls for service are up. Crimes include burglaries.
  - The community business cameras are a great aid in resolving crimes.

## COMMITTEE REPORTS

### **INSURANCE & PENSION**

- The Chairman reported that the actuarial reports are in and reviewed. In 2011, there was an unfunded liability that has slowly gone down, and now we have a \$79,000 + in that account, which will reduce payments in the foreseeable future.

### **PERSONNEL**

- Commissioner Sharkey noted that there were actions for the Executive Session that is up-coming. He made a motion to move to Executive session. This motion will be considered after the Solicitor's report.

### **FACILITIES & EQUIPMENT**

- No report.

### **FINANCE & BUDGET**

- Commissioner Herzberger commented that we are supposed to have budgets to the Boroughs by November. It's actually October. We should have the Budget considered at continuation meetings.
- Commissioner Sharkey commented that the IGA should be prepared as well as the budget. Chairman Trout noted that two of the municipalities have appointed members to the IGA committee. Glen Rock has appointed Nick Wagner and Stewartstown has appointed Donna Bloom at their most recent Council meeting. (Sec'y note: New Freedom is represented by Bruce Merrill and Shrewsbury is represented by Mike Sharkey on the IGA Committee)
- Commissioner Herzberger suggested that we use the numbers from 2016, 2017, and annualize 2018 and use the 3 year average that the IGA asks for. We could also use the trail period. Commissioner Herzberger made a motion that, for this year's budget, that data for the incidents that we use a 3 year average from 2016, 2017, and annualizing 2018. The motion was seconded by Commissioner Sharkey. There was an Aye vote, with no Nays. The motion carries.

### **CONTRACT NEGOTIATIONS COMMITTEE**

- Commissioner Sharkey reported that that there were no formal meetings in August. There have been discussions with Officer Heffner representing the Officer's Association. Communication was received from the Officer's Association indicating their desire to protect their ability to arbitrate. Commissioner Sharkey stated that he believes that we will be able to reach a negotiated settlement and contract. He's attempting to schedule a meeting in September.

### SOLICITOR'S REPORT

- Solicitor Ruth reported that the letters advertising the request for sealed bids for the old ambulance had been completed. He has proof of publication from the York Daily Record. He has a bid in hand, submitted on behalf of Mr. Jim Bowen of Glen Rock for \$1500.00. That is the only bid, and a recommendation was made to approve that bid and authorize the Solicitor and Department staff to facilitate that sale.
- A motion was made by Commissioner Herzberger, seconded by Commissioner Burkins, to sell the ambulance per above recommendation. A vote of Aye passed the motion.
- The Solicitor has responded to 2 right to know requests.

### EXECUTIVE SESSION

- There were no alternates present other than those seated on the Commission so the requirement for alternate attendance motion was waived.
- The executive session began at 20:23 and ended at 21:10. Several personnel issues were discussed.

- Chairman Trout announced that, as of 8/31/2018, Officer Mike Storeman has medically retired and that we need to honor his service.
- Commissioner Sharkey made motion that, since he didn't get to his normal retirement date, he be paid his sick leave as if he had retired at 25 years in accordance with the current contract. This calls for up to 50% of that amount up to a maximum of 60 days. The motion was seconded by Commissioner Burkins. The motion passed with an Aye vote.
- While there is no provision to extend health care insurance coverage, Commissioner Sharkey made a motion that we continue Officer Storeman's health insurance for up to 2 months, ending no later than October 31. That motion was seconded by Commissioner Stewart. That motion passed with an Aye vote.
- Commissioner Herzberger made a motion that we authorize the Chief to hire a part-time administrative staff person. That expense is already in the budget. Commissioner Burkins seconded that motion. The motion passed with an Aye vote.

#### OLD BUSINESS

- Chairman Trout mentioned that Commissioner Merrill had asked the Chairman to prepare a group of people to go to Railroad and Winterstown as they prepare their budgets. Chief Boddington, Sgt. Smuck, and Chairman Trout will represent the Commission and Department at those meetings if it becomes necessary. They will be the only authorized individuals or group to speak on behalf of the Commission.

#### NEW BUSINESS

- Chairman Trout announced that we have to reconvene and we need a continuation meeting on the third Tuesday, which is September 18 at 19:00 hours, for budget preparation. The Chief said the Department will have budget information ready for the Commission by that date.

**MOTION TO CONTINUE:** A motion to Continue was made by Commissioner Stewart, seconded by Commissioner Herzberger. There was no vote, and the Chairman made a declaration to Continue.