

**Southern Police Commission  
Monthly Meeting  
March 6, 2019**

A public meeting of the Southern Police Commission was held on Wednesday, March 6, 2019. The meeting convened at the New Freedom Borough Council Chambers, 49 East High Street, New Freedom, PA 17349.

**Commission Members Present:** Buck Buchanan, Roy Burkins, Rob Herzberger, Bruce Merrill, Larry O'Brien, Mike Sharkey, Andrew Stewart, John Trout

**Solicitor:** Peter Ruth

**Police Department Staff:** Chief James Boddington, Financial Administrator Gail Prego

**Members Absent:** None

**Alternate Members Present:** None

**IGA Committee Members:** None

CHAIRMAN'S ANNOUNCEMENTS

- Chairman Trout read a letter of appreciation received from Hartenstein's Funeral and Cremation Care, Inc. including a contribution check for \$300.00.
- Statements of Financial Interest for each Commissioner will be due in May, must be submitted before the end of April. Solicitor Ruth verified that this report is for 2018.
- There will be no Executive Session this evening.
- Past Commission Member and Chairman Ed Molinsky has passed away and was remembered at the meeting.

PUBLIC COMMENTS

- Retired Shrewsbury Borough Mayor Peter Schnabel congratulated the Commission and Officers for their successful labor contract negotiations.

REVIEW & APPROVAL OF FEBRUARY 6, 2018 MEETING MINUTES

- Chairman Trout asked for a review and approval of the minutes for meeting on February 6 as presented, and any comments or additions.
- A motion was made by Commissioner Herzberger, seconded by Commissioner Merrill, to approve the minutes as submitted. All in favor consented with an Aye vote, there were no Nays, and Commissioner Stewart abstained due to not having been there.

REVIEW & APPROVAL OF JANUARY 2019 EXPENDITURES

- Expenses and financial reports through January 31, 2019 were presented by Finance Administrator Prego leading the discussion.
- Administrator Prego had an action item from the previous meeting get the depreciation schedules from the auditors. She will "scrub" the lists and remove items that are no longer in the possession of the Department.
- The Department expenses in line with the budget.
- Invoices are prepared for the contracted municipalities reflecting a 5% rate increase. Authorization by the Commission was requested to send the invoices at the new rate.
- Income is in line with expectations.
- Salaries and wages for January appear significantly under budget in the report but actually are not. That will be reflected by the back pay made as a result of the new labor contract that will be reported in February.
- Overtime is affected by several variables including Ofc. Wright still being in training.

- The report appears to be high on insurance expense by percentage but since those bills are paid during the first month that affects the reported results. Timing will be corrected in the reporting tool.
- Commissioner Buchanan made a motion to authorize invoices to the contract customer municipalities of Winterstown and Railroad Boroughs at the 5% rate increase, which changes \$88.00 to \$92.40 per hour effective January 1, 2019. The motion was seconded by Commissioner Burkins. Chief Boddington will discuss the rate increase with the elected officials of those municipalities. The motion carried with an Aye vote.
- Commissioner Merrill asked about the tire expenditures showing in the report. Chief Boddington explained that the specialized tires are purchased under the State contract in sufficient sizes and quantities at the beginning of the year to meet anticipated requirements in a timely manner and are stored at a nearby servicing agency's facility.
- There was detailed discussion regarding the seemingly higher expenses during January due to liability insurance coverage requirements. Budget percentage annualization will correct the perception of over budget expenses.
- The body cameras and a replacement vehicle camera are included in a \$16k line item.
- A motion was made by Commissioner Herzberger to approve expenses for December from the Monthly Expense report of \$251,269.09 and approve the check detail including several ACH's (electronic transfers) and check numbers 11063 through 11108. The motion was seconded by Commissioner Stewart. Chairman Trout called for any further questions and there were none. The motion passed with an Aye vote.

#### CHIEF'S REPORT

- Chief Boddington reviewed and explained the police incident and time reports of January 27 through February 23 that had been provided to the Commissioners and will be posted on the web site.
- Time attributed to each municipality is within tolerance. Time spent in each municipality is being managed by the Sergeants as closely as possible. The officers make every effort to balance forecasted time with real requirements. Overtime is up a bit due to a Saturday callout to investigate credit card skimmer crimes.
- Skimmers were found on ATM's and gas pumps. Our Department is working with other law enforcement agencies in the area, state wide, and nationally to investigate, resolve and prevent these crimes.
- The UCR reports were provided by the Chief for each municipality.
- Commissioner O'Brien asked if there had been further resolution on the distraction burglary case in New Freedom Borough. Chief Boddington replied that the criminals have widened their area and that the crimes have been reported to the State Police in the Township areas. Information regarding description of the criminals has been shared with other law enforcement agencies.
- There were several clarifying questions regarding the report which were answered by the Chief.
- Commissioner Buchanan inquired regarding door to door sales solicitation within Shrewsbury Borough. Shrewsbury Borough has an ordinance requiring solicitors to submit to a background check and obtain a permit from the Borough office. He said that we are requesting citizens to call the Department or 9-1-1 when a solicitor doesn't present a permit when requested. Chief Boddington agrees that this process and reporting of non-compliance is a suitable crime preventative measure citing, as an example, the distraction burglaries. As the weather gets nicer solicitation activity will increase. Chief Boddington said that some solicitation activity was observed in Shrewsbury Borough but that the people involved seemed legitimate. Commissioner Sharkey said that no solicitor applicants have appeared before Borough Council, which is one of the requirements to obtain a solicitor's permit in Shrewsbury Borough. He requests that officers ask for permits if a contact is made with solicitors.
- Chief Boddington provided a draft of the Community Service Officers policy General Order. The policy is similar to that used by other departments and has been reviewed by Solicitor Ruth. The Solicitor agreed that the policy is appropriate. Chief requested that the Commission approve this policy.

- There was further detailed discussion regarding contents of the policy and the CSO position. This position is a civilian position, not covered under the officer's association contract. It's an hourly, part-time position.
- Commissioner Buchanan made a recommendation that we approve the CSO position as presented in the draft General Order to be reviewed in 90 days. This allows a more thorough review of the General Order draft by the Commission and allows the Chief to implement the CSO policy and position and evaluate the results. The recommendation was seconded by Commissioner O'Brien. Chairman Trout modified the recommendation into a motion to approve the draft General Order for the Community Services Officer to be reviewed within a 90 day period. Commissioner Buchanan offered amended words of "follow" versus "within" the 90 day period. Chairman Trout asked about the person assuming the position being sworn in some manner similar to Fire Police. Solicitor Ruth stated he feels that swearing in the person who takes this position is unnecessary. There continued to be detailed discussion. The Chairman called for a vote, and it was Aye with none opposed.
- Commissioner Herzberger requested the Chief to provide a report of the cases that Storeman has helped clear to date. That report is discussed later in the meeting.
- Chief Boddington reminded the Commission that the MOU with the school districts that's required under the Safe Schools Act every two years. The Chief will sign it, and Solicitor Ruth recommended that Chief Boddington be authorized by the Commission to sign the MOU with Southern York County School District. Commissioner Sharkey made the motion, and seconded by Commissioner O'Brien. The motion carried with an Aye vote.
- When the Finance Committee met with the Chief it was discussed about authorizing 8 more hours of part-time work per week for Officer Storeman. Chief Boddington produced a tabular and graphical report demonstrating the addition case clearance rate when an additional officer was assigned to help clear investigations. The report clearly demonstrates that, with additional part-time assistance with investigator duties. There was detailed discussion regarding the content of the report. The information available indicates that SRPD case clearance rate is higher than the average compared to other departments in the State and local area. All police departments in the Commonwealth report this information via the UCR system. Commissioner Stewart requested actual numeric comparative information to be shared with his Council and community.
- There were questions about what constitutes a "cleared" case. Detailed examples were provided by the Chief.
- Since Thanksgiving, there have been 6 opioid overdose deaths in our coverage area. There've been 4 "saves", with the most recent one the previous week prior to this meeting. During a recent County chiefs meeting, with the County Coroner presenting, it was reported that there is a 20% increase in opioid deaths over the previous year at this time.
- The new car has been purchased, painted, awaiting decals and equipment to be installed. It will go to the outfitter to be completed.
- Officer Wright's training is going well.

## COMMITTEE REPORTS

### **INSURANCE & PENSION**

- No report

### **PERSONNEL**

- Commissioner Sharkey report that the Committee met. Pay increases for the non-represented employees were discussed. The Chief will be awarded the same increase rate of pay and health insurance benefits as the represented officers receive. A 3% increase is awarded to Administrator DeMoss. Health coverage benefits for dependents is increased from 1 ½% to 2 ½% of salary and amount remains the same as it was previously if they waive dependent coverage. Commissioner Sharkey made a

motion that the Chief's salary increase and benefits remain in line with the SRPOA agreement and that the Administrator's pay would increase by 3%. Storeman's pay will remain as it is currently. The motion was seconded by Commissioner Buchanan. Commissioner Merrill asked Administrator Prego if the increases were accounted for in the budget and an affirmative answer was received. The motion passed with an Aye vote, none opposed.

- The Chief's evaluation had been discussed. The tool used for the evaluation appears more complicated than necessary and revisions are under consideration. The Committee will meet between now and the next Commission meeting with a new tool in hand and completed evaluation of the Chief.
- The Labor Agreement is under formatting reorganization, the signature page has to be re-signed, and it will be finalized. The content of the agreement will be the same and is available in electronic form if necessary, and will be sent to the commissioners who request it.

## **FACILITIES & EQUIPMENT**

- Commissioner Burkins asked about a telephone line and station instrument that is installed in the police substation area that Stewartstown Borough is pay the bill for. The number had been forwarded to the New Freedom office number. Chief Boddington will report back at the next meeting regarding whether the telephone is being used. There are also expenses relating to the police substation use of electricity and gas. Information will be reviewed by the Chief and discussion will continue at the next meeting.

## **FINANCE & BUDGET**

- Commissioner Buchanan reported that the Committee had met. Notes from the meeting were provided to the Commissioners and are made part of these minutes. He reviewed the content of the notes. The committee recommends rebating ½ of the year end surplus amount to the member municipalities after it's determined which amount is correct.
- Committee report item 7 reflects a concern during the time the department was considering disbanding. Solicitor Ruth will research the concern but his initial response is that this concern will be discussed with the bargaining unit representatives should the cause for concern arise again.
- Commissioner Buchanan made a motion that Officer Storeman's hours be increased from 24 to 32 hours per week. That motion was seconded by Commissioner O'Brien. It was agreed that the change should be effective immediately. After discussion, Commissioner Buchanan amended his motion that the increased hours be approved until September 1 for review at that time. There was no additional discussion. The vote was taken and passed with an Aye vote.
- Commissioner Buchanan made a motion to approve the expenditure of \$5000.00 for a camera for the vehicle that needs it, a not-to-exceed amount. Funds to come from the reserves. The motion was seconded by Commissioner O'Brien. The motion passed with an Aye vote.
- Commissioner Buchanan made a motion to approve a rebate of ½ of the 154 or 169 figures from Item 2 of the Finance Committee notes. There was a discussion about where these numbers came from. Administrator Prego pointed out that the correct number will be developed by the auditors during the audit, which she's ready for and attempting to schedule. There continued a detailed discussion. It was agreed that the rebate amount will be \$80,000.00 after verification by the audit. It was decided that there wasn't a motion at this point. A motion was made by Commissioner Buchanan to, out of the reserve funds, take a total figure of \$80,000.00 as a credit to the 4 member municipalities for the second quarter billing and the percentage of each of the 4 member municipalities is based on the 2018 percentage paid into the budget. The motion was seconded by Commissioner O'Brien. The vote was Aye.
- The Chairman thanked the Committee for their work.

## **INTERGOVERNMENTAL AGREEMENT COMMITTEE**

- Commissioner Sharkey reported that the Committee met twice since the last Commission meeting, February 19<sup>th</sup> and again March 5<sup>th</sup>. At the February 19<sup>th</sup> meeting there was the beginning of discussion

regarding the PPU system and reference to committed hours. There is some thought about moving from PPU's to actual obligated hours. The historical information available can be used to develop figures to arrive at obligated hours. A definition regarding what obligated hours mean and how minimums are determined will be created. Additional development time is required. The Committee is not prepared to make a recommendation at this point.

- Also at the February 19<sup>th</sup> meeting everyone was tasked with getting feedback from their Councils regarding the thoughts on this subject. Stewartstown Council had been exposed to the changes being considered as remarked by Commissioner/Mayor Herzberger.
- A detailed discussion continued. The Committee anticipates further feedback from the other Councils.
- Another consideration being discussed is exit costs. Some of the details that are part of this concern were mentioned.
- No recommendations are forthcoming at this time. They are meeting twice a month. The next meeting is in New Freedom on March 19.
- Commissioner Herzberger opined about the "white board" management system to balance required patrol time compared to managing time spent addressing the law enforcement issues in the communities. The Sergeants are doing this because the Commission directed this type of management and the comments are non-reflective on the Department doing this as the Commission directed it. Commissioner Sharkey said that's part of the discussion in developing the new IGA.

#### SOLICITOR'S REPORT

- Solicitor Ruth responded to a right to know request from the York Daily Record regarding prostitution investigations. They want to know how we conduct the investigations. Chief Boddington reported that other Departments are receiving similar requests from the same source.
- Solicitor Ruth provided information regarding the percentage of budget paid by each municipality in 2018. Shrewsbury Borough was 34.49%. New Freedom Borough was 30.29%, Glen Rock was 14.52 percent, and Stewartstown 20.7%.

#### EXECUTIVE SESSION

- None.

#### OLD BUSINESS

- None

#### NEW BUSINESS

- None

**MOTION TO ADJOURN:** A motion for adjournment was made by Commissioner O'Brien, seconded by Commissioner Buchanan. There was a unanimous Aye vote at 21:00.