

ST. JOHN POLICE COMMISSION

MINUTES OF REGULAR MEETING ON NOVEMBER 10, 2008

The November 2008 Regular Meeting of the Board of Metropolitan Police Commissioners of the Town of St. John was held on November 10, 2008 at 7:00 P.M., as advertised, pursuant to law. Commissioner Dodaro called the meeting to order at 7:00 P.M. and then led the audience in the Pledge of Allegiance. Roll call was taken with the following members of the Police Commission being present; namely, William Dodaro, Donald Farris, Rose Hejl, Robert Long and Ronald Vale. Also present were Chief Fred Frego and Town Council Liaison Jerri Teibel. No legal representation was present at the meeting.

APPROVAL OF PREVIOUS MONTH'S MINUTES

October 13, 2008 Regular Meeting - Commissioner Hejl made a motion to approve the minutes as written from the October 13, 2008 meeting. With a second by Commissioner Farris, the motion carried unanimously (5-0).

CORRESPONDENCE / COMMUNICATIONS

There were no items of Correspondence and/or Communications brought before the Commission at tonight's meeting.

POLICE DEPARTMENT'S MONTHLY REPORT

Chief Frego read the monthly report for October 2008. Chief Frego stated that from October 1, 2008 through October 31, 2008, the members of the St. John Police Department logged 23,745 miles and responded to 546 incidents. The investigation of these incidents led to 31 adult arrests with 38 charges being filed and 3 juvenile arrests with 4 charges being filed. There were 249 traffic citations issued along with 69 written warnings for a total of 318 citations being issued during the month of October 2008 by the officers of the St. John Police Department. Also during the month of October, vehicle thefts totaled \$0.00, and all other thefts totaled \$9,466.00. The total value of recovered property was \$0.00. Regarding grant activity, the officers of the St. John Police Department, while working the OPO / BCC / OSS / DUI Taskforce Grants, issued 58 traffic citations and 30 written warnings for a total of 88 citations being issued on the grants during the month of October 2008. The investigation of these violations resulted in 7 adult arrests with 8 charges being filed and 0 juvenile arrests with 0 charges being filed on the grants for the month of October 2008.

OLD BUSINESS

There were no matters of "Old Business."

REPORTS

Budget – Chief Frego advised the 2009 Budget was approved on its first reading at the last Town Council meeting. The second reading of the budget will be on Monday, November 24, 2008.

Physical Plant – Chief Frego advised the Department is in the process of obtaining bids on a maintenance contract for the radio console and for the HVAC in the building. The warranties for the new building have expired.

HUMAN RESOURCES

Commissioner Dodaro stated the Officer's Eligibility List will be expiring later this month, and the Commission needs to determine if they are going to extend the list for six (6) months, or if they are going to let the list expire. Chief Frego stated in light of the financial situation that is being encountered by all the local municipalities, he does not see any additional hiring of police officers in 2009. The proposed 2009 budget does not reflect monies for the purpose of hiring additional officers; therefore, Chief Frego felt it is a moot point as far as hoping to hire somebody off the current list. However, should circumstances arise that would constitute an emergency hire situation, it would be a good idea to have the list available. Some discussion ensued. Commissioner Farris made a motion to extend the Officer's Eligibility List for an additional six months (new expiration date is May 29, 2009). With a second by Commissioner Long, the motion carried unanimously (5-0).

NEW BUSINESS

Revised G.O. #11.01 – Care & Use of Department Owned Vehicles - Commissioner Dodaro advised the Commission had before them for approval and adoption revised General Order 11.01 – Care & Use of Department Owned Vehicles. Commissioner Dodaro asked if any of the other commissioners had any comments. Commissioner Vale stated he did not feel the Commission should take away the use of the squad cars from the officers who live outside the Town limits but still have free carte blanche for those officers who live in Town. He estimated the savings would be around \$2,000.00 a year against a \$1.7 million budget deficit, and he felt this was infinitesimal and wrong. Further, Commissioner Vale stated he would not vote in favor of this revised general order.

Commissioner Hejl stated she had questions regarding several sections of the general order, inclusive of the area Commissioner Vale mentioned. Commissioner Hejl stated she really did not know what the purpose was for this revision. Chief Frego explained during the entire budget process for 2009, several meetings were held regarding the financial problems the Town is currently encountering. The Town has a projected deficit of \$1.7 million in 2009. During these meetings, there were a host of suggestions made to reduce this deficit. The game plan that was arrived at was that there would be \$400,000.00 in cuts made from within. Restricting the use of the squad cars fell into the scheme of things regarding the cuts the Town Council wanted to make. Chief Frego said he was instructed by the Town Council to propose a new general order regarding the department owned vehicles that would more or less fit into their way of thinking. The original thought was to park all squad cars and go to a "pool car" type of system to save money. Through negotiations and contentious discussions, it was agreed upon

that he would come up with a policy that would hopefully be acceptable to the Town Council. Chief Frego stated he came up with this revision to General Order 11.01, submitted this revision to the Town Council, and they agreed upon this policy. Chief Frego stated he felt this was the best case scenario that the Department could have at this time. Further, he stated he did not believe the policy would be permanent and when times get better, it could be revisited, and it could be revised to go back to where it was. Chief Frego stated in the meantime, he felt it was the best recommendation that he could come up with for right now.

Commissioner Long stated he had a problem with the 15 mile radius restriction as he did not think it was fair and equitable. Chief Frego advised that the 15 mile radius restriction is not new to the general order as it has been there for a long time.

Commissioner Hejl asked if changes must be made, could they come up with something that would work for everyone and not just half? She suggested allowing the use of the vehicles in the tri-town area by all officers. Chief Frego stated this suggestion was proposed and then rejected by the Town Council.

Commissioner Vale queried as to whether, in all the negotiations and discussions, the miles traveled were considered in mathematical equations (i.e., the officers who live out of Town drive 15 miles off-duty or 80 miles off-duty, then multiply that number by \$3.00 per gallon, which would allow one to determine the amount of savings that could be derived by not allowing the officers who live outside the town limits of St. John to drive their squads off-duty), or was this just an arbitrary thing that came up wherein it was determined that everybody who lives in Town can drive their cars off-duty while those who live outside of Town cannot? Again, Commissioner Vale stated he was not happy with the proposed revision, and he would not vote to pass the revision. Some discussion ensued pertaining to scheduling an Executive Session or a Special Meeting to discuss this matter further, which would provide the opportunity for all commissioners to air their opinions regarding the revision. Chief Frego responded to Commissioner Vale's query by stating calculations were made, and this part of the proposed package is expected to save \$6,000. Chief Frego further stated there are a lot of different things being put together to get to the amount that needs to be saved (i.e., personnel lay-offs, discontinuing the employees' longevity pay, and reducing the officers' clothing allowance by \$500). Chief Frego advised everybody is being affected by the budget restraints.

Commissioner Vale stated he still does not understand the situation and went on to explain the way things have been over the past 30 years; specifically stating his disappointment that the Annual Fire and Police Open House was cancelled due to a cost of \$5000, yet the Town continues to host events such as Halloween Houses, Christmas in the Park, etc. He stated it is wonderful to do those events for the residents of the Town unless there is a budget crunch. He felt it was wrong in any fashion to host those types of events while taking away from the employees who serve and protect the Town. Commissioner Vale stated he felt there are other ways to cut "fat" from the budget. Further, a savings of approximately \$6000 in a year against a \$1.7 million deficit does not make any sense to him. Chief Frego stated he felt that this discussion was being held at the wrong meeting; the Town Council meeting was last week and that is where all these items were discussed.

Commissioner Long stated all that was necessary was for the Commission to be able to see how the numbers were calculated to get to this decision. Chief Frego stated he did not do the calculations for the big scenario. Commissioner Long advised Chief Frego he understood that but since the Chief was in charge, he wanted to see the supporting numbers and how those

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numbers were derived. After the Commission had a chance to review those numbers, Commissioner Long felt the Commission would then have another meeting regarding this revision. Commissioner Long stated it was his opinion that what he was asking was only fair.

Commissioner Dodaro stated he agreed with Commissioner Long, and he would like to respond to some of Commissioner Vale's comments. First of all, Commissioner Dodaro stated he was not the enemy here. He stated the way he read the general order, all police personnel were allowed to take their cars to and from work. Police personnel who live in Town are allowed to use their car within the Town. He stated he felt this policy was not hindering the citizens of the Town at all. Policemen who elect to drive their cars off duty in the Town are expected to respond to the situations that they come across or that they hear on the radio. Therefore, the citizens of the Town are not being hurt by the policy.

Commissioner Long stated he disagreed with Commissioner Dodaro, and he felt Commissioner Dodaro was missing the point. The point is that if the morale of the Police Department suffers, then the quality of police work suffers. He felt this is what they were talking about today, over small dollars, and this is something that bothers him. Commissioner Dodaro stated he agreed with Commissioner Long but this revision is coming from the Town Council. Again, Commissioner Long stated he would like to see the numbers and how those numbers were derived. Chief Frego stated the Commission should have attended the Town Council meeting to address their concerns.

Commissioner Hejl questioned how Section "C," Item 8, which states that when an officer is not working a regular shift, he is on-call for emergency call outs, would work under this policy. Chief Frego stated the officers' cars are at home with them. More discussion ensued regarding the on-call status of the officers. Chief Frego advised there has never been a problem with this section of the policy. In fact, Chief Frego stated about three (3) weeks ago there was an incident in Town, which was a day-time burglary, and when the off-duty officers were called out, the response was wonderful. The officers are to be commended on their response. Within 15 minutes, there were an additional six (6) squads out. Chief Frego stated this "sold" his argument about allowing the officers to take the cars home with them instead of parking them at the station.

Commissioner Farris questioned the number of officers who live outside the 15 mile radius. Chief Frego responded that there are none.

Commissioner Dodaro asked Town Council Liaison Jerri Teibel to comment on this matter. Mrs. Teibel stated there have been three (3) (public) budget meetings and the only member sitting with the Commission tonight that has been in attendance at those meetings is Joan Kolodziej. The police officers have been to those meetings as well. If the Police Commission wanted to know what was going on, as residents of this Town and as Commission members, then they probably should have been there because then they would not be asking all these questions. Mrs. Teibel then addressed Commissioner Vale regarding "Halloween Houses," wherein she stated the "Halloween House" made the Town of St. John \$37,000.00, enough to support itself and support Christmas in the Park. Therefore, this item is off the table. As far as cuts, the Police Department was not the only department that was cut. The Town Council had to fire, not lay off, two (2) employees in Building and Planning. She further stated there are a lot of cuts being made in Town, and she feels the Police Department did get whacked. Further, at last Thursday's Town Council meeting, she stated she voted "no" on the budget.

Commissioner Dodaro stated if the Town Council wanted the Police Commission involved in these negotiations, then the Commission should have been invited. Mrs. Teibel stated no one else was invited, yet the employees showed up. Commissioner Dodaro stated he did not attend the meetings because as a resident he has no problems and that this is not his livelihood. Commissioner Long stated he did not wish to be lectured on whether he should attend Town Council meetings. Mrs. Teibel stated that when Chief Frego brought his first proposal to the Town Council, it was turned down. Chief Frego then spent a lot of time and brought another proposal to the meeting, and got "clipped" big time. Every one of the officers stood up in favor of the Chief's proposals, and it would have been a big help if the Commission would have been there to stand up and express its concerns instead of at a venue like tonight. Mrs. Teibel went on to say she understands that the Police Commission has the bottom line and the final say regarding policies for the Police Department. The Town Council will not "step on your toes" but just for the record, she stated she voted "no" on the entire budget, the way it was laid out, the way it was presented, etc., but she felt the need to clear some things up about "Halloween Houses." The monies earned from that event goes into a special revenue fund that no one can touch just like the Chief has a fund that cannot be used to pay electric bills. Commissioner Long stated he would like to take the emotions out of the discussion, and he would just like to see the numbers and how they came about. Mrs. Teibel advised Commissioner Long that he needed to contact Councilman Mark Barenie, as well as Financial Advisor James Bennett, regarding this matter. More discussion ensued regarding the budget, the supporting numbers, and the timeframe that this policy needs to be enforced. Chief Frego stated that all the budget cuts will become effective January 1, 2009. Commissioner Long stated he was concerned for the police officers and business in general. He stated the way the economy works is if you make a cut, historically, those items very rarely come back in play again because it is accepted behavior. Mrs. Teibel stated it is on the record that these budget cuts are temporary and not permanent. More discussion ensued on the "temporary" status of the cuts and the need for the economy to come back around before these items can come back on the table.

Chief Frego explained a similar "temporary" situation that occurred last year when a temporary moratorium was placed on the officers wherein the officers were not allowed to drive their cars while off-duty. This action was taken when the cost of gasoline skyrocketed, and it saved dollars. However, it was only temporary. Chief Frego stated he believes that this is the same thing the Town Council is trying to do now – take actions that will only be temporary. Chief Frego stated he felt the recommendations he made were "the best of both worlds." The officers are able to retain their squad cars for driving back and forth to work; therefore, this would not impact anybody financially as far as having to purchase a car for commuting to and from work. Further, Chief Frego stated this policy allows the officers who live in Town to continue to drive in Town while off-duty, which upholds the public safety issue.

Commissioner Farris stated he personally does not have an issue with this policy since all the officers live within the 15 mile radius, and they are allowed to drive their cars to and from work. Further, he stated he did not see the driving while off-duty as being a big issue. Chief Frego stated he believed this is a trend that is going to catch on because every department is talking about it.

Commissioner Dodaro stated he felt an Executive Session was in order for the purpose of discussing the proposed amendments to this policy. Commissioner Hejl made a motion to table this matter until it can be discussed in an Executive Session. With a second by Commissioner Long, the motion carried unanimously (5-0).

CHIEF'S COMMENTS

Chief Frego advised the Chase Bank in Town was robbed. The robbery occurred early in the afternoon on a Thursday and by Saturday morning, the bank robber was in custody. All the officers and detectives did a wonderful job. Some discussion ensued regarding details of the bank robbery.

ANY AND ALL

Town Council Liaison Jerri Teibel stated during the Haunted House, they were extremely busy with lines all the way to the parking lot. She stated Chief Frego made sure they had uniformed police officers present. There was one incident that occurred which she was extremely glad officers were there. She stated the officers were great, and she felt the St. John Police Department received a lot of good exposure during the Haunted House. The officers conducted themselves beautifully. Mrs. Teibel thanked Chief Frego and his staff for doing a good job.

PUBLIC COMMENT

Captain Bernard J. Johnsen, of 9123 W. 90th Avenue, St. John, Indiana, thanked the Commission for not "buying into" the revised general order. However, he felt it necessary to state that without a reasonable doubt, Chief Frego absolutely did not want to impose the restrictions listed in the policy on the police officers. He stated Chief Frego has taken great pains and has been very disappointed because he did not want to see the employees lose their longevity and have their clothing allowance cut. However, Chief Frego did not have much choice because he was told that this is what the Town Council was going to do, and he was told to come up with an answer. Captain Johnsen stated he felt Chief Frego was between a rock and a hard spot, and the strength was in the Police Commission; not in the Chief of Police. Captain Johnsen stated he was at the budget meetings, and he spoke at those meetings about losing his longevity after being with the Department for almost 34 years. Captain Johnsen agrees with Commissioner Long that once you lose a benefit, you are probably not ever going to get it back. He stated "temporary" is synonymous with "final." Captain Johnsen informed the Commission of a second meeting on the budget scheduled for November 24, 2008, and he asked the Commission members to attend that meeting. Captain Johnsen stated he appreciates the fact that the Commission is behind the police officers, and should it come about that the officers who live out of Town do not get to drive their cars, then he will not take his car home. He stated discussion has been held amongst the officers, and it is their feeling it has to be either they are all going to have their cars, or they are all going to park them. Captain Johnsen thanked the Commission for allowing him to speak.

MEETING SCHEDULE

The Commission decided to schedule an Executive Session for 7:00 P.M. on November 17, 2008, if the calendar allowed, for the purpose of discussing the proposed revision of General Order 11.01 – Care & Use of Department Owned Vehicles. The location of this meeting will be determined upon room availability. The next Regular Meeting will be on Monday, December 8, 2008. There will be a Work Study Session only if deemed necessary. The Regular Public

Meeting will begin at 7:00 P.M. Any and all Executive Sessions will be advertised pursuant to law.

ADJOURNMENT

Commissioner Hejl made a motion for adjournment. With a second by Commissioner Farris, the meeting was adjourned at approximately 7:35 P.M.

Town of St. John, Lake County
Indiana, Board of Metropolitan
Police Commissioners

Rose Hejl, Secretary

ATTEST:

Joan M. Kolodziej, Recording Secretary