

**Southern Police Commission
Monthly Meeting
January 3, 2018**

A public meeting of the Southern Police Commission was held on Wednesday, January 3, 2018 at the New Freedom Borough Council Chambers, 49 East High Street, New Freedom, PA 17349.

Commission Members Present: Robert Herzberger, Buck Buchanan, John Trout, Bruce Merrill, Roy Burkins, Michael Sharkey, Larry O'Brien, Nick Wagner (seated alternate)

Solicitor: Peter Ruth

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

Alternate Members Present: John-Paul Whitmore

Outgoing Members/Alternates Present: Rollin Apgar, Victoria Ribeiro

PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairman Trout at 19:01 with the pledge of allegiance to the flag and a moment of silence for fallen police officers, firefighters, and EMT's who lost their lives in the line of duty.

CHAIRMAN'S ANNOUNCEMENTS

Chairman Trout introduced new Commission Members: Larry O'Brien of New Freedom, Nick Wagner (Alternate) of Glen Rock, and Mike Sharkey from alternate to full member and as the new Mayor of Shrewsbury. Bruce Merrill is now a Commission Member and Jeff Blum is an Alternate.

PUBLIC COMMENTS

None

COMMISSION ANNUAL REORGANIZATION

Solicitor Ruth explained the positions that are to be filled: Chair, Vice-Chair, Secretary-Treasurer, and in addition a Right-to-Know Officer due to Commissioner/Mayor Halapin's departure.

Nominations for Chairman were requested: Commissioner Buchanan nominated John Trout as Chairman, Seconded by Commissioner Burkins. There were no further nominations for Chairman. There was no discussion. The Solicitor called for a voice vote: John Trout was elected Chairman unanimously by vote of those members present. The Solicitor returned control of the meeting to Chairman Trout.

Chairman Trout asked for nominations for Vice-Chair: Commissioner Buchanan nominated Rob Herzberger as Vice-Chair. The motion was seconded by Commissioner Burkins. There was no further discussion or nominations. The Chairman called for a voice vote: Robert Herzberger was elected Vice-Chairman unanimously by vote of those members present.

Chairman Trout asked for nominations for Secretary-Treasurer: Commissioner Sharkey nominated Buck Buchanan as Secretary-Treasurer, seconded by Commissioner Herzberger. There was no discussion. The Chairman called for a voice vote: Buck Buchanan was elected Secretary-Treasurer unanimously by vote of those members present.

Commissioner asked for nominations for the Right-to-Know Officer. Solicitor Ruth explained that the position was relatively easy and explained the functionality of the position. Commissioner Sharkey opined that he could probably handle the position. A motion was made by Commissioner Burkins,

seconded by Commissioner O'Brien, to nominate Commissioner Sharkey for Right-to-Know officer. There was no discussion. Commissioner Sharkey was elected Right-to-Know officer unanimously by vote of those members present.

The Chairman / Mayor administered the Oath of Office to all new members and alternates present.

The Chairman read a letter of resignation from Jeffrey Halapin, having sold his home and is moving away.

REVIEW & APPROVAL OF DECEMBER REGULAR MEETING MINUTES

The wrong representatives from New Freedom were listed as seated and / or in the audience. That portion of the minutes was corrected. Commissioner Buchanan moved that the minutes be approved with the changes. Commissioner Merrill seconded the motion. No further discussion. The motion carries with those not present at the meeting for which the minutes were taken abstaining from this vote.

REVIEW & APPROVAL OF NOVEMBER 2017 EXPENDITURES

- Expenses for November 2017 were presented and reviewed by Chief Boddington and Administrator Prego leading the discussion.
- Contributions are on track for the member boroughs, the non-member contributions are at 92%, which is based on service hours directly instead of PPU's.
- The school district is at 97% and there may be more during the next report period due to them having asked for more hours of coverage.
- Vehicle repair and inspection expenses continue to be over budget due to age of the vehicles. The plan is to reduce the fleet by 2 current vehicles and add 1 new one.
- Payroll for December should be less when the final numbers are in.
- A vest grant has been approved for \$1500.00 and we continue awaiting those funds.
- A motion was made by Commissioner Buchanan, seconded by Commissioner Sharkey, to approve expenditures for check numbers 10630 through 10644 in the amount of \$138,128.90 for the month of November. A motion carries with an Aye vote unanimously.

CHIEF'S REPORT

Chief Boddington described the contents of the monthly police activity reports to the new members. The report reviewed is up to date as of the end of November. After explaining the meaning of each section of the report, Chief Boddington handed out December report with a 5 week average to explain how the results contained in the reports can differ over a relatively short period of time based on police calls for service and associated activity.

Commissioner Buchanan requested clarification regarding enforcement reports as it relates to warnings/5 day cards versus citations. He asked if it's at the officer's discretion to issue a warning versus a citation. The Chief responded that the numbers recorded are likely effected by factors such as a traffic stop for speed and finding a seat belt not used or a light out. A citation may be issued for speed, and a warning for the other offence. They may also be stopped for a tail light out (normally results in a 5 day warning) and find out there's no proof of insurance, for which a citation is issued. Warnings indicate activity and contact with the public while enforcing the laws and providing a balance of citations and warnings and achieving effectiveness.

Chief Boddington reported the following highlights:

- Christmas was rather uneventful

- The Department provided coverage for the Glen Rock Carolers without major problems
- Detective Blaise has investigated 5 child related incidents.
- Detective Blaise had investigated a burglary in February of 2017 and collected DNA evidence that had been sent to the lab. Just this week he was notified that Harrisburg had just received the evidence and wanted to know if they wanted the analysis work done. There have been arrests made on DNA evidence but sometimes those results are delayed. The seriousness of the crime being investigated can determine the priority at the lab. The lab needs help.
- Chairman Trout advised the new Commissioners that they are welcomed to inquire of the Chief regarding operations of the department, how things are done, etc.

COMMITTEE REPORTS

The Chairman announced the assignment of Committee Members and Chairpersons:

All members are expected to serve on committees, including alternate members. There are 4 standing committees and a 5th committee being assigned. Committee assignments include: Insurance & Pension, Finance, Personnel, and Facilities and Equipment. This year there will be a Contract Negotiation Committee due to contract negotiations that are due this year. Members should advise the Chairman of the Committee(s) they prefer being assigned to.

The Finance Committee report was previously provided as part of the Review and Approval of expenses earlier in the meeting.

INSURANCE & PENSION

- No report. There are some renewals due. Health care costs are expected to be lower. The basis for the current healthcare costs don't include recent events that may cause it to change later.

PERSONNEL

- No report.

FACILITIES & EQUIPMENT

- No report

CONTROL AND TRACKING DOCUMENT

- Former Commissioner Schnabel was responsible for this report and the Chairman will assign someone to that task.

SOLICITOR'S REPORT

- The Solicitor(s) must be assigned at this organizational meeting. Solicitor Ruth stated that CGA is the Labor Counsel to the Commission and Stock & Leader acts as General Counsel to the Commission. Keller Brown is the Insurance representative. A motion was made by Commissioner Sharkey for the Commission to accept these assignments, seconded by Commissioner Buchanan. There was no further discussion. The motion carried by unanimous Aye vote of members present.
- There were a few right-to-know requests has been responded to.
- There could be an Executive Session about personnel of the commission desires, will be brief.

EXECUTIVE SESSION

- Chairman Trout requested a motion to allow the alternate members to remain for the Executive Session. Commissioner Merrill made the motion, seconded by Commissioner Herzberger. There was an Aye vote to confirm the alternate members remaining. The secretary, former members, and Department Staff had left the room.
- The executive session began at 19:35 and ended at 19:37. A personnel matter had been discussed.

DISCUSSION

There was an open discussion with Chief Boddington regarding how fine money is disbursed to the municipalities. There's a glitch in the system that goes back to when the regional department was formed and consolidated. The problem is being resolved but it will take a while.

OLD BUSINESS

- The Chairman asked Commissioner Buchanan to present Shrewsbury Borough Council resolution. The resolution is made part of these minutes. Highlights include a 5 year commitment to the continuation of SRPD, supported and in support of a previous Resolution submitted by Stewartstown Borough Council, and that further investigation of external mergers should be a function of the Commission rather than the individual member municipalities, and that all member municipalities seek to further actions that support the department. Copies of the Resolution were distributed to all members present. He ended his presentation by stating this was not a blind commitment to 5 years without further discussion but that it's the stated desire of the Shrewsbury Borough Council that the outcome of discussions come out in that direction so that it works for everyone.
- Commissioner Merrill announced that the New Freedom Borough Council had met the previous evening and that, by unanimous vote of members present, voted to leave at the end of 2018. A letter so stating was presented to the Chairman. He further announced that the official withdrawal plan will be due by July 1. The Chairman inquired regarding what New Freedom's thoughts were regarding SRPD continued use of the facilities. The answer was that they expect the department they subsequently adopt to be able to use the existing police station facilities.
- Chairman Trout stated that the next subject was somewhat moot due to this turn of events. There had been discussions begun with York Area Regional Police about merging although two municipalities seemed more interested in a continued commitment to keeping SRPD together.
- There was a short discussion among Chairman Trout and other representatives from Glen Rock that they weren't ready to seek a 5 year commitment but might consider 3 years.
- Commissioner O'Brien stated that some of the New Freedom Council members were concerned with the stability of the department based on its size, that there weren't enough officers to cover all contingencies such as injuries, illness, etc. They want a department of 50 or so officers even though that force would be spread across a much larger territory.
- Commissioner Buchanan requested copies be made of the New Freedom letter.
- The Recording Secretary will make the New Freedom letter a part of the minutes.

NEW BUSINESS

- None

ADJOURNMENT: A motion was made by Commissioner Buchanan, seconded by Commissioner Herzberger, to adjourn. The motion passed.



Stewartstown Borough

6 North Main Street, Suite A
Stewartstown, Pa 17363
717-993-2963 Phone
717-993-2131 Fax

October 13, 2017

Commissioner John Trout
Chairman
Southern Regional Police Commission
47 E. High Street
New Freedom, Pennsylvania 17349

Dear Commissioner Trout:

As part of the regular public meeting for November, the Stewartstown Borough Council and I began a review of the request from Southwestern Regional Police Department. This review led to a deeper discussion of the long-term viability of the Southern Regional Police Department and Stewartstown's role in that process. When we executed the Joint Municipal Agreement in the Spring of this year, the parties to the agreement indicated we would use 2018 as a period to evaluate the effectiveness of the new PPU system. The Borough Council does not feel sufficient time has passed to complete that evaluation. Therefore, the Borough Council has passed a motion which states in effect, that Stewartstown does not wish to participate in merger discussions at this time. The motion further states that should the Southern Police Commission decide to move forward with a merger, Stewartstown will cease to be a member as of the end of 2018. Our reasoning is as follows:

- We feel a merger with either Northern Regional or Southwestern would dilute our local control and make it more difficult to provide police protection to our area.
- We have been told the current officer salary structure is above that for both Southwestern and Northern, so it may not be in the best interest of our officers to merge. This is an issue which must be addressed in the long term. There will be an opportunity to start that discussion given salary negotiations scheduled for next year.
- The original work performed by Chief Smeal indicated the department appeared to have one position too many. This was changed when the analysis utilized a 12-hour shift verses an 8-hour shift. The work presented by Chief Bentzel (using a 12-hour shift) also indicated the department was overstaffed by one position. If either analysis is correct, there may be an opportunity in the foreseeable future to restructure the department to better equate staff size with policing needs. Given natural turnover or retirements, this is not an unreasonable assumption.
- Northern Regional identified potential savings of \$173,126 (\$1,829,432 verses our budget of \$2,002,558). Initially, this would probably be the result of no longer needing two Chiefs of Police. Remember, our employee costs go beyond salary, and include benefits, training, supplies and other expenses. Given the previous bullet point, we feel the opportunity to look at the efficiency and structure of the department will be realized over the near term.
- We are concerned that a merger would not be cost free. The potential for a new "buy-in" fee is not feasible for Stewartstown at this time.

The hope the Borough Council is that we can work with our existing police department to increase its efficiency and productivity. During 2018, the opportunities may well present themselves to accomplish those goals. At some point, consolidation may become a solution, but we feel this is not the time.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert C. Herzberger".

Robert C. Herzberger
Mayor of Stewartstown

**SHREWSBURY BOROUGH
YORK COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2018-01

**A RESOLUTION IN SUPPORT OF THE SOUTHERN
REGIONAL POLICE DEPARTMENT**

WHEREAS, Shrewsbury Borough entered into a Joint Municipal Agreement For Law Enforcement Services (the “Joint Municipal Agreement”) dated June 12, 2002 among Glen Rock Borough, New Freedom Borough, and Shrewsbury Borough, establishing the Southern Regional Police Commission (the “Commission”) and creating the Southern Regional Police Department (the “Department”) to provide law enforcement services to an independent police district; and

WHEREAS, Stewartstown Borough joined the Commission in December of 2013, at which time the Joint Municipal Agreement was amended and the Amended and Restated Joint Municipal Agreement, dated December 12, 2013, was adopted (the “Amended and Restated Joint Municipal Agreement”) and began receiving police services from the Department thereafter; and

WHEREAS, following the proposal and acceptance of certain Terms of Continuation, Glen Rock Borough, New Freedom Borough, Stewartstown Borough and Shrewsbury Borough (the “Member Municipalities”) amended and restated the Amended and Restated Joint Municipal Agreement (the “Second Amended and Restated Joint Municipal Agreement”) as of June 30, 2017 at the request of certain Member Municipalities for the purpose of utilizing Police Protection Units (each a “PPU”) to allocate costs among the Member Municipalities for purchasing police protection from the Department, and making additional amendments; and

WHEREAS, prior to the approval of the Second Amended and Restated Joint Municipal Agreement, Glen Rock Borough and New Freedom Borough established their right to withdraw

from the Agreement at the end of 2017 in accordance with Article I thereof, which right continued and remains for the end of 2018 in the Second Amended and Restated Joint Municipal Agreement; and

WHEREAS, Stewartstown Borough and Shrewsbury Borough undertook proceedings and provided notice of intent to withdraw from the Southern Regional Police Commission at the end of 2018 after the adoption of the Second Amended and Restated Joint Municipal Agreement and in accordance with the timeline set forth therein; and

WHEREAS, efforts have been and continue to be undertaken by the Commission and Department to operate effectively under the PPU format; and

WHEREAS, there has been contact to and from other regional police departments, with select Member Municipalities, regarding options to purchase services, consolidate, merge or otherwise obtain police protection; and

WHEREAS, Stewartstown Borough expressed its desire to support the Southern Regional Police Commission by letter by passing a motion at its November 6, 2017 Borough Council meeting that stated that Stewartstown does not wish to participate in merger discussions at this time and that should the Commission decide to move forward with a merger, Stewartstown will cease to be a member as of the end of 2018; and sent a letter to Commission expressing outlining its support of the Department and Commission; and

WHEREAS, Shrewsbury Borough desires to express formally its continuing commitment to the Department and to support the viability and growth thereof.

NOW, THEREFORE, BE IT RESOLVED by the Council of Shrewsbury Borough that it hereby expresses its support of Department and Commission; and

RESOLVED that the Member Municipalities are requested to continue their cooperative efforts to move beyond the currently existing notices of intent to withdraw and to establish a longer term, written commitment to the Department and the Commission of not less than five (5) years to establish stability; and

RESOLVED that the Member Municipalities revisit other provisions of the Second Amended and Restated Joint Municipal Agreement to seek opportunities for change therein to strengthen the relationship among the Member Municipalities and the Commission; and

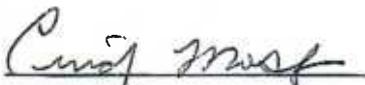
RESOLVED that investigating or pursuing mergers, consolidations or services with other regional police departments shall be only a secondary option to the perpetuation of the Department; and

RESOLVED that individual Member Municipalities are requested to not investigate or pursue mergers, consolidations or services with other regional police departments unless and until all Member Municipalities agree to do so and establish a plan for that purpose; and

RESOLVED that the Member Municipalities seek and consider other actions that might be necessary or appropriate to support the Department further.

Adopted this 2nd day of January, 2018 in a lawful meeting, duly assembled, by unanimous vote.

Attest:


Cindy Borsley, Secretary

SHREWSBURY BOROUGH COUNCIL

By: 
Richard Buchanan, President

The Shrewsbury Borough Mayor hereby evidences his support.


Michael Sharkey



BOROUGH OF GLEN ROCK

P.O. Box 116
Glen Rock, PA 17327

(717) 235-3206

Fax (717) 235-0798

January 3, 2018

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

Dear Police Commission Members:

Glen Rock Borough Council appointed the following Borough representatives to the Police Commission: Mayor John Trout and Councilman Andrew Stewart. Councilman Nick Wagner has been appointed as Glen Rock Borough's alternate.

Glen Rock Borough also appointed borough resident, Amy Wagner, 11626 Wyndham Lane, to the Civil Service Commission.

Thank you.

Sincerely,

GLEN ROCK BOROUGH COUNCIL

aem

NEW FREEDOM BOROUGH

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

January 3, 2018

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

RE: New Freedom Borough Withdrawal

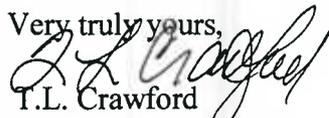
Dear Commission Members:

At its January 2, 2018 meeting, the New Freedom Borough Council voted to proceed with its formal withdrawal from the Southern Regional Police Department effective December 31, 2018. The Borough has previously provided its minimum one year notice. However, over the last year, the parties have been working together in an attempt to salvage the Department. Through these efforts, it became apparent to New Freedom that its best path would be to contract with another regional police department for services.

In order to facilitate the Borough's withdrawal, the Second Amended and Restated Joint Municipal Agreement for Law Enforcement Services requires a withdrawing party to pay its proportionate share of additional costs (Article I, Section C), enter into a separation agreement (Article I, Section D) and receive a payment for capital assets (Article I, Section H). It is intended that the separation agreement will be finalized by July 1, 2018. Therefore, the parties should begin working on obtaining the values and liabilities required for the agreement.

The Borough would like to thank all of the municipalities for participating in the Southern Regional Police Department. The management of a police department has become extremely complex and expensive. We believe that the alternative we are pursuing would provide all of the Southern Regional Police municipalities an opportunity to receive police protection with less stress and at a lower cost.

Very truly yours,



T.L. Crawford
Borough Administrator

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