#### MINUTES OF THE MINE HILL TOWNSHIP COUNCIL REGULAR MEETING – OCTOBER 25, 2012

Township Council President Kristine Kanzenbach called the regular meeting of the Mine Hill Township Council to order at 7:30 pm and led those present in the Pledge of Allegiance.

#### **OPEN PUBLIC MEETINGS NOTICE**

Ms. Kanzenbach announced that adequate notice for this meeting had been given as required by law.

ROLL CALL: Present – Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis

Absent - None

Also Present – Mr. Morris, Mayor; Mr. Thompson, Township Administrator; Mr. Lavery,

Township Special Counsel; Ms. Macchia, Township Clerk

Public Present – Approximately 70

#### **PRESENTATIONS**

Mr. Morris presented slides about the process that the Township is following in making decisions about policing of the Township. Chief Fernandez then presented Wharton's approach to policing Mine Hill, and Chief Simmonetti and Mr. Raths presented Roxbury's approach. Each presentation is appended to and made a part of these minutes.

#### **COUNCIL DISCUSSION**

Mr. Bloom asked Chief Fernandez how many officers the Wharton Police Department had at the time of the 2002 merger, and how many of Mine Hill's officers came over to increase that number. Chief Fernandez responded that Wharton had 13 officers at the time and Mine Hill had 8 officers. Of those 8, 5 chose to join the Wharton Department and 3 chose other opportunities. Because only 5 of Mine Hill's officers joined Wharton, Wharton hired an additional 3 officers. This resulted in a total Force of 21 officers at that time; the Force currently consists of 20 officers.

Mr. Willis asked Chief Simmonetti how many square miles Roxbury Township is. The response was 22 square miles. Mr. Willis noted that an afternoon shift in Roxbury consists of 7 officers, and that an afternoon shift in Wharton/Mine Hill's 5+ square miles consists of 3-4 officers, commenting that Wharton/Mine Hill's coverage is substantially greater per square mile.

Mr. Willis asked Chief Simmonetti, if Mine Hill chose to move to Roxbury Police Department, if the officers let go from Wharton would be given preference for the jobs created in Roxbury. Chief Simmonetti responded that he would be willing to waive the written exam for those officers, but that all applicants would have to pass Roxbury's physical exam and interview process.

Mr. Pepperman asked Chief Simmonetti if Mine Hill would be a dedicated zone for coverage, or if the "Mine Hill zone" overlapped with a small portion of Roxbury. Chief Simmonetti responded that Mine Hill would be its own zone.

Mr. Bloom asked how Roxbury handled the storms last fall and how Roxbury would handle Mine Hill in similar situations. Chief Simmonetti responded that he brought in additional officers and his paramedic to assist in the storms due to the extreme numbers of residents without power. He added that Mine Hill would be treated the same as Roxbury in a similar situation.

Ms. Kanzenbach noted that Wharton officers assist in Dover's DARE program because Mine Hill students attend Dover High School. She asked if Roxbury would also accommodate this need. Chief Simmonetti responded that Roxbury would provide any services that Wharton is currently providing, in the case of DARE provided that the Dover Police Chief approves.

Mr. Bloom asked both Chiefs about the level of medical training that their officers have. Chief Simmonetti responded that, in addition to the department's paramedic, all officers have basic first responder training and that many are also trained EMT's. Chief Fernandez responded that Wharton has done away with its EMT program but that many officers have retained their EMT certifications in addition to all officers having the basic first responder training. He added that Edna Deacon of the Mine Hill First Aid Squad maintains Wharton's medical training.

Additional questions were asked about zone coverage. Chief Simmonetti responded that, just like Wharton, a serious incident in another zone may pull the dedicated officer away from Mine Hill for a period of time, but that he believes the coverage will be the same if not better than is currently provided by Wharton because he has more officers on each shift that can respond to such incidents.

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#### OPEN TO THE PUBLIC

#### Patrick Burbridge, Thomastown Road

Mr. Burbridge referenced Daily Record articles from October 8<sup>th</sup> and October 12<sup>th</sup> that discussed potential shared services and mergers between Roxbury and Mount Arlington. He asked if the Council was considering the potential growth factor of Roxbury Township. Roxbury representatives responded that Mount Arlington is not currently negotiating with Roxbury. Mr. Burbridge added that he does not believe it is in Mine Hill's best interest to move to the Roxbury Police Department.

#### Gary Colucci, William Street

Mr. Colucci thanked Wharton Police Department for their years of service. He asked when the large increase in pension contribution requirements occurred. Mr. Raths responded that the largest increases were in 2007 and 2008 and that reform has since stabilized the contributions. It was noted that PBA salaries will become subject to the 2% cap when contracts come due and are negotiated. Mr. Colucci noted that Mine Hill has substantially less commercial property than Roxbury and that he believed Mine Hill would be paying for that. He asked if the Township Council would consider renegotiating the current contract with Wharton. Ms. Kanzenbach responded that the Council has been working on that already.

#### John McNeice, Randolph Avenue

Mr. McNeice asked how a contract with Wharton could be renegotiated if the representatives of Wharton with the power to negotiate were not present at this meeting. Mr. Morris responded that this meeting is for the Police Departments to give their presentations so that the Council could gather information. Negotiations have been ongoing outside of the public meeting venue, as permitted by law.

#### Pat Korpos, Kenville Resident

Ms. Korpos stated that she was the Municipal Clerk of Mine Hill at the time the original contract with Wharton was negotiated. She noted that the decision was made at many well attended public meetings; she believes there can be no question that the public was well informed of the terms of the contract.

#### John Streko, Randall Avenue

Mr. Streko discussed backup response time from the farthest reaches of Wharton versus from the farthest reaches of Roxbury. He believes that staying with Wharton is worth the price. He asked if the agreement with Dover Court would also be broken if the Township went with Roxbury Police.

#### Cheryl Doltz, Williams Street

Ms. Doltz expressed frustration with the time restraints on the meeting. She asked what the benefit is to Roxbury in offering police service. Ms. Kanzenbach responded that Mine Hill approached Roxbury, not the other way around. Chief Simmonetti responded that, by taking on Mine Hill, he could increase his staff from 42 to 48 officers allowing the entire department to better absorb overtime, absences and training schedules. If time allowed, their department could also research additional programming to target crime, better educate children, etc, which would benefit both towns. Ms. Doltz stated that she believes that the people of Mine Hill are interested in staying with Wharton because of the small town environment where residents know all of their police officers.

#### Richard Leary, West Randolph Avenue

Mr. Leary noted that when Mine Hill's own police department had significant problems and needed to be disbanded, Wharton was the only town that stepped up to help. He complimented Wharton's policing and recommended renegotiating the contract with them; he believes leaving Wharton is a one way street, a decision that cannot be undone once it is done.

#### Melissa Mooney, Randolph Avenue

Ms. Mooney asked Roxbury what their response time is and what it is expected to be for a call in Mine Hill, noting that when her son had a serious medical problem the Wharton officers arriving in less than a minute are the reason his life was saved. Chief Simmonetti responded that he was not prepared with specific response time data. The concern was raised again that the time taken between shifts for the officer assigned to Mine Hill to return to Roxbury and the next officer to arrive in Mine Hill may be too long. It was noted that mutual aid would be available from Wharton if the Township entered a contract with Roxbury and vice

#### Robert Keller, Frank Street

Mr. Keller expressed concern for officers that would be let go from Wharton if Mine Hill went with Roxbury; he believes that those officers should automatically have positions with Roxbury unless Roxbury could prove them unworthy of the position. He also noted that while Wharton's prices may be hire, at least they are consistent; the share in actual costs that Roxbury is proposing will be more difficult to budget for and may prove itself to rise just as much as Wharton's contract in the future. He added that he would hate to see Mine Hill lose a great department over dollars and cents that may down the road turn into just cents.

#### Peggy Healey, South 3<sup>rd</sup> Avenue

Ms. Healey asked what the proposed length of a contract with Roxbury would be. Mr. Raths responded that the proposal is for seven years, but Roxbury would like to see a longer term contract than that. She also asked about the implications of breaking the contract with Wharton. Mr. Morris responded that there is a 366-day out-clause in that contract. Additional pensions questions and responses were reiterated.

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Phil Lusivero, East Randolph Avenue

Mr. Lusivero expressed his belief that Mine Hill should stay with Wharton.

Mr. Morris noted that these are presentations, and that Mine Hill is not done talking with either Wharton or Roxbury.

Mr. Willis asked if he was correct in understanding that the two officers currently covering the square mileage of Mine Hill and Wharton was really double the coverage of the five officers that would be covering the square mileage of Mine Hill and Roxbury. Chief Fernandez responded that his department was structured to serve Mine Hill and Wharton adequately. Chief Simmonetti added that while coverage per square mile was less in Roxbury, calls per officer would be significantly better.

Ms. Kanzenbach thanked everyone for coming and made a motion to adjourn the meeting. The motion was seconded by Mr. Bloom and approved by a voice vote at approximately 9:10pm.

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#### Mr. Morris's presentation:

## Police Proposals

Why are we undertaking this effort?

#### The Wharton Police Contract

- We are satisfied with the level of police services provided by the Wharton Police Department.
- Our decision to review proposals and costs are purely financial.
- Any financial issues Mine Hill is experiencing are NOT Wharton's fault.
- The prior administration and council entered into this contract 2 different times, 2002 & 2007.
- Wharton has acted in good faith as our police department.

#### Our police contract costs.

The contract has a 5.25% increase compounded annually.

- 2003 \$918,750.00
- 2011- \$1,305,130.00
- 2004-\$964,688.00
- 2012-\$1,445,766.00
- 2005-\$1,012,922.00
- · 2013 \$1,521,668.00
- 2006-\$1,063,568.00
- 2014 \$1,601,556.00
- 2007-\$1,119,405.00
- 2015 \$1,685,638.00
- 2008-\$1,178,174.00
- 2016 \$1,774,132.00
- · 2009-\$1.240.028.00

#### The 51/4% increase.

- The original contract from 2002 to 2006 was set at a 5% annual compound increase.
- Starting in 2007 the contract was extended until 2016.
- In 2007 an extra .25% was added to the original contract from 2007 to 2016.
- The former Mine Hill Council added this .25%, Wharton did not ask for it.

#### The current costs of the contract are unsustainable.

They have become a significant percentage of our tax levy and are growing too fast.

> Our municipal budget for 2012 is \$4,395,659. Our Municipal *Levy* for 2012 is

\$3,162,853.00. For 2012, our Police costs are \$1,445,766.00

45.71% of our tax levy.

#### Municipal Debt

Our municipal debt for 2012 is \$2,391,313.00

Our municipal debt payments for 2012 were \$613,246.00

Resident share is \$664.00/person or \$2,657/family of 4.

#### COLA

- Since 2002, The Social Security Administration Cost of Living adjustments have averaged 2.6% per year.
- New Jersey used to require an 8% pension contribution
- That was changed to 28% contribution due to underfunding of the state pension.

#### Meetings with Wharton

We have met with Wharton and the police union a total of 5 different times.

- 1<sup>st</sup> week of July
- August 19<sup>th</sup> Conference Call
- Tuesday October 9<sup>th</sup> Presentation
- 2 other meetings w the Union President Charlie Franz
- Numerous meetings with Chief Fernandez

## What we have asked for in these proposals.

- We asked for a proposal from Wharton and Roxbury on the basis percentage of population.
- We asked each to provide us with what they consider their best professional assessment and policing method.
- We asked both to send their sealed figures to our attorney.

#### Percentage of population

- We asked Wharton and Roxbury to present a proposal to us using a cost basis as a percentage of population in relation to their total police costs.
- Police costs x % of population = Mine Hill's costs.
- · For Wharton that would be 35.89%.
- · For Roxbury it would equal 13.54%.

#### The process we have chosen.

- Under state law, we could have done all of this in closed session and completely excluded the public from any discussion whatsoever.
- It only requires a simple resolution to enact an agreement like this.
- The Town council should be commended for doing this in a transparent, public and transparent manner.
- · Randolph was asked to participate and declined.

#### Misinformation

- There was a flyer put out by the Wharton Police Union that wasn't helpful.
- There has been political literature put out that wasn't accurate.
- Newspaper articles that could be misinterpreted.
- We apologize for information provided by others that did not help the public understand what this is really all about.

#### Special Counsel and Auditor

- We retained Michael Lavery of Hackettstown as special counsel for this issue.
- Executed police sharing agreements in Washington, Washington Boro, Oxford & his firm executed an agreement for Phillipsburg and Alpha NJ.
- Town attorney Anthony Bucco is not involved in this issue.
- Mr. Bucco has recused himself. He is the attorney for both Mine Hill and Roxbury and it is a conflict of interest.
- The Mine Hill police committee has also consulted with our municipal auditor, Anthony Ardito, to review costs and projections on this process.

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#### Chief Fernandez's Presentation:





#### Chief Anthony Fernandez Wharton Police Department

Mine Hill Police Chief Since 2002

#### WHARTON/MINE HILL POLICE SERVICES AGREEMENT

We are the Mine Hill Police Department Since 2002

#### In 2001 Mine Hill Township sought to enter into discussions regarding consolidated police services

- Response:
- Dover No
   Randolph No
   Roxbury No
   Wharton Yes

## Discussions Take Place Between Mine Hill Township/Wharton Borough

- Committees from the (2) municipalities had numerous meetings to discuss the specifics of a consolidated Police Department.
- They formed (1) combined Police Department serving both communities.
- The combining of the departments saved both municipalities hundreds of thousands of dollars.

#### Mine Hill Concerns

- Mine Hill was concerned about their (8) officers being offered positions with the Wharton Police Department.
- Mine Hill wanted to be assured that they would have an <u>officer assigned to Mine Hill</u> <u>Township on a 24/7 basis.</u>

#### Mine Hill Concerns Addressed

- When the Wharton/Mine Hill Police Contract was developed, it was agreed that all (8) of Mine Hill Township officers would be given first opportunity for positions with the Wharton Police Department.
- The Agreement also requires that Mine Hill Township be designated as a specific patrol zone and at least (1) Police Officer be assigned 24/7.

#### **Current Operation** Wharton/Mine Hill Police Coverage Mine Hill - Patrol #2 Wharton - Patrol #1 Wharton is the Mine Hill is the Primary Primary Responsibility Responsibility Patrol #3 Patrols both Wharton/Mine Hill Patrol Sergeant Patrols both Wharton/Mine Hill

#### **Current Operation Continued**

- The current Wharton/Mine Hill Police Services Agreement took months of negotiations and careful consideration by both municipalities.
- Major Contributor to Contract Costs:

Combining (8) Mine Hill positions with those of Wharton.

Equal distribution of personnel to both towns.

#### Request for Proposal

- Wharton Borough asked for clarification of Mine Hill's request for a new police services proposal.
- Mine Hill made it clear, that the Township was not interested in any change in service.
- Mine Hill further advised that the officer assigned to Mine Hill on a 24/7 basis is still a Township requirement and that a patrol zone overlapping Mine Hill would not be acceptable.

#### Request for Proposal Continued

- Wharton Borough carefully considered Mine Hill's request for a new proposal to provide police services.
- It was determined that there is no way to change the way costs are determined in the current Wharton/Mine Hill Agreement, without dealing with the entire contract and the applicable mandates as a whole.

#### **Request for Proposal Continued**

- In order to utilize a population based formula to determine costs as requested by Mine Hill, Wharton would have to consider taking the following action:
- 1. Reduce staff.
- · 2. Reduce the service provided.
- · Neither action would be approved by Wharton.

#### Request for Proposal Continued

- Wharton and Mine Hill have maintained a great relationship and the Police Services Agreement has been a great success for both municipalities.
- The current Police Services Agreement is effective through the year 2016. It is Wharton's position and intention to honor that agreement in full.

#### **Request for Proposal Continued**

- Committees from the Borough of Wharton and Mine Hill Township have been meeting to discuss ways to reduce costs.
- Wharton is hopeful those talks will continue.

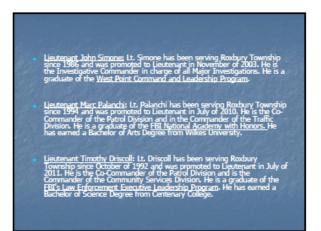
Closing						
Wharton/Mine Hill Police Coverage						
Wharton - Patrol #1		Mine Hill - Patrol #2				
Wharton is the Primary Responsibility		Mine Hill is the Primary Responsibility				
	Patrol #3					
	Patrols both Wharton/Mine Hill					
	Patrol Sergeant					
	Patrols both Wharton/Mine Hill					

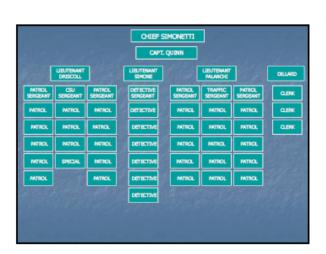
# Questions? Wharton/Mine Hill Police Coverage Wharton - Patrol #1 Wharton is the Primary Responsibility Patrol #3 Patrols both Wharton/Mine Hill Patrol Sergeant Patrols both Wharton/Mine Hill

Chief Simmonetti and Mr. Raths' Presentation:



# Chief James Simonetti has been serving Roxbury Township since 1984 and was promoted to Chief in July 2011. He has been the Division Commander in the Investigative, Patrol and Community Service Division of the Police Department. He is a Certified Chief Law Enforcement Executive by the New Jersey Chiefs of Police Association. He has earned a Bachelor of Science Degree from Centenary College. He is a graduate of the FBI's Law Enforcement Executive Leadership Program. and Penn State Police Executive Development Program. Chief James Quinn: Captain Quinn has been serving Roxbury Township since 1987 and was promoted to Captain in July of 2011. He is the Operations Officer for the Department and is in charge of all Divisions and daily operations of the police department. He received a Certified Public Managers certification from Rutgers University and has a earned his Bachelor's of Science degree from Centenary College.







## **OBJECTIVES**

- To reduce cost of running a police department and maintain or improve on the current services provided
- Maintain and Improve a high level of presence and visibility in Mine Hill.
- To provide the citizens a more efficient and financially prudent service
- To have a smooth and successful transition into providing law enforcement services to the residents of Mine Hill
- To Incorporate the Community Policing expertise of Roxbury Police Department

## **BENEFITS**

- Increased amount of officers available
- Ability to absorb sick time, training and manpower draws without incurring overtime
- Deployment of resources that are not practical for smaller organization
- Partnership with high achieving and professional Department
- Reduce cost of current contract



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#### **SUPERVISON**



- Lieutenant in charge of each Division
- Each shift has a minimum of a Corporal in charge of the shift
- The shift supervisor is responsible for call prioritization and assignments during their

#### Patrol Division



- Squads will consist of 5 officers and a
- MINE HILL- WILL HAVE OWN DEDICATED PATROL ZONE
- Larger patrol squads give the ability to handle multiple situations while still providing coverage. DWI Arrest, Domestic Violence, Major Accidents
- 24 Officers assigned to Patrol Division

#### **Detective Division**

- Staffed by 5 full time Detectives and a
- Normal working hours M-F 7a-10p.
- On call Detective to handle serious crimes and evidence collection 24 hours a day, 7 days a week.



#### Traffic Division



- Staffed with 5 Officers and a Supervisor
- Patrol during high volume traffic times which are between hours of 6a-2a
- Develop and review all major event plans and coordinate all traffic patterns and detours



### Community Service Division

- Training
- Juvenile Officer
- Police Explorer Program
- School and Youth educational programs

  - Every 15 MinutesAlive at 25

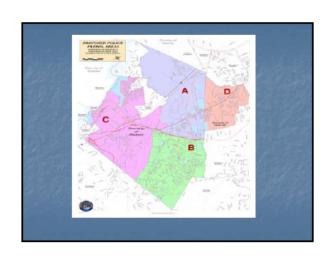
  - Stranger Danger



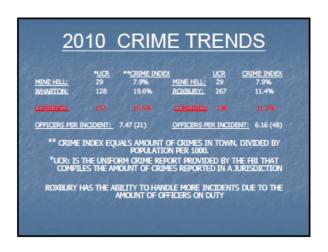


### **Emergency Service Unit**

	TRANS	ITION
	Roxbury	Roxbury/Mine Hill
<u>Total Officers</u> :	42	48
Supervisors:	12	12
Detectives:	5	6
<u>Traffic</u> :	6	7



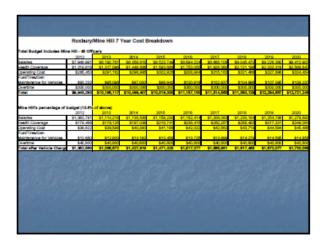


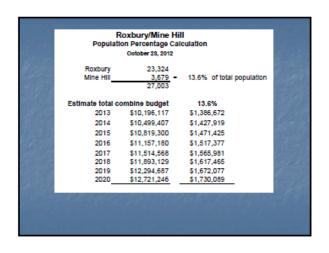


## SERVICES ALL OF THE POLICE SERVICES PROVIDED TO ROXBURY TOWNSHIP RESIDENTS WILL BE PROVIDED EQUALLY TO THE MINE HILL RESIDENTS ALL SPECIALIZED BUREAUS SERVICES WILL BE EQUALLY ACCESSIBLE TO THE

RESIDENTS OF MINE HILL.











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Council President

There being no further business, a motion was made by and seconded by to adjourn the meeting at 9:10 PM. The motion was approved by a voice vote.
Respectfully Submitted,
Amanda G. Macchia, RMC Mine Hill Municipal Clerk
Approved on this day of, 20