

SPECIAL TOWN COUNCIL
MEETING MINUTES
May 11, 2017
Bethel Center – 28307 Clayton Street

I. CALL TO ORDER 6:00 p.m.

Mayor Baull called the meeting to order at 6:09 p.m. Those in attendance were Mayor Baull, Councilman Miller, Councilman Chandler, Councilwoman Ulrich, Town Administrator Brought, and Chief Toomey. Vice Mayor Truitt was absent. Please see attached sign in sheet for other members in the audience.

II. PUBLIC COMMENT

Cathy Flowers spoke in favor of raising police salaries. She understands the town has had a lot of change-over in staff this year and it might be difficult in the budget, but still is in favor of raising police salaries due to all of the drugs circulating and the dangers the police face.

III. NEW BUSINESS

A. Police Salary Proposal

Chief Toomey compared salaries between the Dagsboro Police Department and nearby police departments that are a similar size. When he first started in Dagsboro, the previous chief was making \$46,614 (which was ten years ago) and the Sergeant was making \$33,276; a \$13,000 difference. During his time, he has worked to bridge that gap and it is down to approximately \$4,000. The state's average difference between a chief and second in command is just under \$15,000 and the average salary for a chief is \$66,250 and the second in command average is \$51,420. These numbers are four years old (from 2013).

There are currently twenty-one police departments in Sussex County and Chief Toomey only used departments with nine or fewer Delaware-certified officers for comparison. The salary for a chief varies between a low of \$42,000 (Frankford) to over \$81,000. For the second in command (Sergeant, Captain, etc.) the salaries range from \$47,840 (Dagsboro) to an excess of \$73,000. These numbers show the average salary for a chief is \$65,278 and \$57,000 for the second in command.

The Council was previously e-mailed supporting documents to show the salaries. It shows a disparity of between \$6,000 and \$10,000 between the Dagsboro Police Department salaries and neighboring departments. The individual responsibilities for the department has also grown significantly and there have been dramatic increases in complaints, the nature and scope of investigations, and the severity of arrests. The responsibilities are growing while their salaries are not in line with neighboring departments.

Therefore, Chief Toomey proposes a salary pay scale that is in line with other agencies. The initial start-up costs for the proposal are \$6,240 for the rank of Patrolman First Class, \$6,240 for the rank of Staff Sergeant, and \$5,200 for the rank of Chief, making the total \$23,920. Chief Toomey is open to suggestions on budget adjustments that could be made to make this possible.

Councilman Miller asked if the \$23,920 was just for three salaries. Chief Toomey clarified that it includes four salaries: two for the position of Patrolman First Class, one Staff Sergeant, and one Chief. Councilwoman Ulrich asked for clarification on the documents of the current salaries and the proposal. Chief Toomey responded that currently, Patrolman First Class earns \$37,440 in Dagsboro. In Bethany, a person going through the academy (not Delaware-certified) makes \$48,500; \$11,000 more and Dagsboro's officer is a two-year officer that is Delaware-certified. Selbyville starts an officer with two years of experience at \$43,000 and after one year, the salary increases to \$45,000. Chief Toomey also had a conversation with the Chief in Ocean View. An officer with experience, that does not need academy training, starts with a salary of \$46,500. Hypothetically, an officer from Dagsboro could transfer to Ocean View and get a salary increase of \$8,000, in addition to a new vehicle and Family Platinum Healthcare at a cost of \$25 a week. The Dagsboro Police Department currently does not have to pay for healthcare for themselves, however, to include family members, it costs them \$800 a month. To compare, it would cost a Dagsboro officer more than \$10,000 a year to insure family and Ocean View would be able to insure family for \$1,300 a year. Another comparison is that a State Trooper is hired to start at \$54,000; Chief Toomey has thirty years of experience and doesn't make that much.

Chief Toomey also informed the council that it is his intent to retire December 31, 2018 (less than two years away) and Sergeant Litten could retire at any point. Patrolman First Class Bare completed his commitment on March 1st and could go wherever he would like now and Patrolman Joles' contract expired April 1st so he would now be free to go elsewhere also. The start-up costs for a new, entry-level officer, with current salaries and no raise, would be a little over \$30,000 for the twenty-one week academy (that being just his salary), four weeks in a supervised Field Training Officer program, then another four weeks of a Field Training Officer shadow program, basic uniforms upon issue, healthcare, pension, ammunition for the academy, and other costs. The officer is also not available to the town for the eight months they are at the academy.

Councilman Miller asked what happened to an officer that previously left (Carl) – where he went, how much his salary changed, and what the incentive was for him. Chief Toomey replied that he went to Selbyville and started at \$43,000, but has been there a year now. He also received other incentives, such as two weeks vacation time instead of one.

Councilwoman Ulrich stated that people will leave for more money, just like the previous Town Administrator. She knows the budget needs to be balanced, but believes police should be paid what they are worth because they risk their lives. She clarified that, at this time, Chief Toomey is proposing the raises and not additional benefits. Chief Toomey confirmed that he would just like to bridge the salary gap at this time.

Chief Toomey recognizes that a reduction in force would be an option, but asked the council to keep in mind his annual reports and how they demonstrate a steady increase in all aspects related

to patrol – traffic accidents, criminal activity, arrests, etc. and that only three officers would leave the town open to days without coverage.

Chief Toomey also informed the council that he has been contacted about placing an officer in SRO at Indian River High School. This would require that an officer is full-time in the schools (John M. Clayton and Indian River High). Chief Toomey has looked at scheduling and he would be able to supply the town with coverage until 11 p.m.; currently, the coverage goes to midnight or 1 a.m. Selbyville currently receives \$42,000 to provide a school resource officer to three of their schools (Selbyville Middle, School of the Arts, and Philip C. Showell are in their jurisdiction). Two-thirds of what that officer makes would be \$27,720. Currently, the district is paying \$73,000 for state police to cover Indian River High, Clayton, East Millsboro, and Lord Baltimore. Chief Toomey believes with the district facing budget cuts, the town could go before the school board with this option, saving the district half of their current costs. Chief Toomey is hoping to get \$36,000, but he will be requesting more. The \$36,000 amount is how much they are paying security officers, whereas the town would provide police officers.

Chief Toomey is not in favor of raising the budget for funds that the police bring in, however, he did point out that the budget for this year was \$40,000 and so far the police have brought in \$68,000. He predicts that the number will end up at \$70,000, which is \$30,000 more than budgeted. The officers have worked 225 overtime hours at a cost of \$5,737.50, which is money well spent since they brought in \$30,000 more.

Chief Toomey also shared some statistics with the council. Over a three year period, Indian River High School had 228 complaints and Dagsboro Police Department handled 88 of them, due to the school resource officer not being available. John M. Clayton had 53 complaints and Dagsboro handled 11 of them. This would increase the Dagsboro Police Department's complaint load by 142 over a three year period.

Councilwoman Ulrich asked if this would be a signed contract – if one of the current officers decided to quit and go somewhere else, would they still be committed to the school? Chief Toomey replied that they would be committed to the school for the year – it is a one year contract. Councilwoman Ulrich also clarified that when an officer is at the school, the town would still have coverage. Chief Toomey confirmed – the basic schedule would be himself from 7 a.m. to 3 p.m. and another officer coming in the afternoon (with an hour or two overlap) until 10 or 11 p.m.

Councilman Miller thought at first that Chief Toomey meant adding a fifth officer for the school resource officer, but now understands it would still remain four officers. Chief Toomey shared that initially, he was considering a fifth officer, but that he does not think it is financially feasible for the town at this point. He is still currently looking into grants that would make that possible.

Councilwoman Ulrich stated that it would all be contingent upon the school budgets – next year would not be guaranteed. However, she does know that the police deserve raises. Councilman Chandler agreed that the police deserve a raise and doesn't think it needs to be justified, he just would like to see how to make it work in the budget. He would like officers that come to the town to feel respected and appreciated so his question is what can be done to the existing budget to make the Chief's proposal work or does a property tax increase need to be considered. Chief

Toomey replied that the SRO option would be a viable way to increase the salaries with very minimal impact to the budget. Councilman Chandler asked if the council votes on this next month, how would it work since the SRO program probably wouldn't be started. Chief Toomey replied that the individuals that he has been in contact with are individuals in higher positions and they are in agreement with this program. He was told that if he received the approval from the town council, he should send a letter immediately to the superintendent and the school board and they would then begin the process. Councilman Chandler asked for clarification on there being minimal impact the town coverage of the police. Chief Toomey confirmed that he sees a minimal interruption in coverage.

Councilman Miller asked if Chief Toomey would be able to move forward with seeing how this would progress without a commitment at this point. Chief Toomey confirmed that if he receives approval from the council to continue pursuing this option, he will submit the letter to the school board.

Mayor Baull's only concern was that if there were a large emergency in town, would the officer at the school be available for back-up. Chief Toomey replied that chances are something like that would probably be at the school and there would be another officer in town. Councilwoman Ulrich pointed out that it wouldn't be any different than the current situation – where the state police provide back-up.

Councilman Miller asked Town Administrator Brought how many tax payers are in town and if \$21,000 were divided among those tax payers, what kind of impact that would have. She replied that she would have to research that and get back to the council. Councilwoman Ulrich responded that the problem with that is there are people that do not pay their town taxes. Town Administrator Brought did inform the council that the real estate transfer tax account would be an option if salaries did need to be pulled from somewhere as that was above the projected budget. Councilman Chandler calculated that it would be less than \$25 per tax payer. Councilman Miller calculated that it would be seven cents a day.

Councilman Chandler made a motion, with the mayor's approval, that the council approve Chief Toomey to move forward in inquiring about the school resource officer and then the council will vote at a later time depending on the response from the school. Councilman Miller seconded the motion. All in favor.

Chief Toomey also shared with the council that the department's clearance rate is 75%; they have cleared that percentage of cases, while still maintaining traffic and other matters in town, which he is proud of for such a small agency. The state police only have a clearance rate of 15% and it is a much larger agency and they have a dedicated detective department.

B. Building Inspections

Town Administrator Brought has been in contact with Andy Wright from Sussex County regarding building inspections. She asked him how long it would take for them to complete an inspection once they have been notified. He responded that if the call is placed before 3 p.m., they can put it on the schedule for the next day. She also asked if they would come and inspect the condemned

properties in town and complete a detailed report and was told they would. These services would be free of charge. With AECOM, to date, the town has spent \$18,000 in inspections. Councilwoman Ulrich asked if AECOM would be done working for the town completely if they use the county for inspections. Town Administrator Brought replied that they still make a lot of money from the town just for site plan reviews. AECOM is contracted with most towns in Sussex County, not necessarily for inspections, but at least for site plan reviews.

Councilwoman Ulrich stated that they used the county and they had missed five inspections recently.

Councilman Chandler asked if anybody has any memory as to why the town started using AECOM instead of the county. Bob Flowers, town maintenance, responded that he thinks it might have been around the time that the town put town water in.

Councilman Chandler also mentioned that they could use Sussex County and if it doesn't work out, they could always go back to AECOM. Councilwoman Ulrich asked if the county requires a certificate of occupancy for new construction or just the town. Town Administrator Brought replied that it is both the county and the town.

Councilwoman Ulrich shared that their company, as a builder, uses the county for inspections, but they also hire an outside contractor to complete two inspections in framing. She suggested the town use the county for inspections since it saves so much money, but that if an additional inspection seems needed, they could bring in AECOM. Town Administrator Brought replied that she thinks Kyle (Town Engineer from AECOM) would be agreeable to that.

Councilman Miller asked if they would keep Kyle on the Planning and Zoning Commission. Town Administrator Brought replied that she thinks they should because that is a lot of site plans and people with those would need direction.

Councilwoman Ulrich made a motion that the town uses Sussex County for building inspections. Councilman Chandler seconded the motion. All in favor.

IV. PUBLIC COMMENT

Bob Flowers commented that if an additional inspection is needed, that can be done with Sussex County also. There is a \$20 charge for the additional inspection, but it is still a lot cheaper than AECOM.

V. ADJOURNMENT

A motion was made to adjourn the meeting by Councilman Chandler and seconded by Councilman Miller. All in favor.

The meeting adjourned at 7:11 p.m.