**ATTENDING:** Gary Hadden-Ontelaunee Commissioner, David Franke-Maidencreek Township Commissioner, Ron Strause-Leesport Commissioner, James Moquin-Leesport Alternate, Kim Berger-Ontelaunee Township Alternate, Diane Hollenbach – Maidencreek Alternate, Ruth Manmiller-Secretary, and Christopher Gerber-Solicitor.

**GUESTS:** Eric Bauman, Heather Schoener, Jamie Kilyk, Scott Eaken, Harold Wagner, Josh Meck, Lisa Unrath, James Cecchini, Donna Culp, Robert Wood.

Commissioner Strause called the April Commission Meeting to order at 6:00 PM.

Pledge to the Flag & Moment of Silence

**FOR THE RECORD:** Executive Sessions conducted 4/5/2021 6:00 PM, 4/12/2021 5:00 PM

**MINUTES** – **March 2021**

Commissioner Hadden made a motion, seconded by Commissioner Franke to accept the March 2021 Commission Meeting minutes as presented. All Commissioners voted, “Aye.” Motion carried.

**TREASURE’S REPORT** **- March 2021**

Money Market $373,986.62

General Checking $ 36,907.99 Tompkins Vist $180,614.65

Payroll $ 40,273.70 NNO $9,238.55

Total Budget Bal. $451,168.31

Commissioner Franke made a motion, seconded by Commissioner Hadden to accept the March 2021 Treasurer’s Report as read. All Commissioners voted, “Aye.” Motion carried.

**DEPARTMENT REPORT – February 2021**

Presented by OIC Wood

**CALLS CITATIONS WARNINGS CONTACTS ARRESTS HOURS OF SERVICE**

Maidencreek 225 45 115 142 3 24.66 per day

Ontelaunee 156 48 103 144 0 23.09 per day

Leesport 74 36 51 80 2 10.04 per day

Administrative 30

**TOTAL 485 129 269 366 5**

**Fuel 1082.032 MILEAGE 10179**

 **Fines Collected**

**Maidencreek $1,351.24 Ontelaunee $2,206.17 Leesport $1,053.00**

**DEPARTMENT REPORT – continued**

Commissioner Hadden questioned the how each municipality’s time is logged.

OIC Wood explained each call is timed based through the Communications Center. Any calls that originate directly from the office (phone call or walk in) are determined by the municipality where incident occurred; 72-1 Maidencreek, 72-2 Ontelaunee or 72-3 Leesport. The officers know how to categorize calls and after I approve the totals a true and correct as reported.

Commissioner Strause thanked NBRPD officers for their continued protection; he has received several complements on the increased police presence in the community.

**COMMENTS FROM THE FLOOR**

**James Cecchini, Maidencreek Township inquired;**

1. Why the remaining funds are still being held in the Vist Money Market account, now that the Hobart suit has been settled? These funds should be returned to the contributing municipalities per their contribution percentage.
2. Once again the legal fees are over budget; what is the reason?
3. Since Chief Horner is retired; why is he still receiving wages? Didn’t his contract expire?

Commissioner Strause and Commissioner Hadden provided the following information;

1. Funds will be returned to the contributing municipalities when all issues are settled.
2. Legal fees are due to continuing personnel issues and the dissolution proceedings.

Solicitor Gerber confirmed Chief Horner’s retirement agreement allowed for his existing contract to be continued to 5/10/2021. This action was taken to allow the Commission to arrive at a settlement.

**Harold Wagner, Leesport Borough questioned;**

1. Why did the NBRPD pension plan play such an important part in the dissolution.

Ruth Manmiller explained per the Pension Plan Agreement the plan would have had to honor the 50 years of age and 25 years of service commitment to (6) officers that where close to retirement, even if they were no longer employed by NBRPD. The dissolution was not the officers’ fault.

The officers that have less than 12 years of service would receive the contributions that they had paid into the fund as they were not vested. Officers who are vested would have to be funded till they would meet their retirement requirements as well.

NBRPD must pay 6.51% of the officers’ wages to keep the pension fund sound = 2% paid by officers contributions and 4.51% contribution paid by the commission.

Every year the MMO calculations determine the amount of funds necessary to keep the plan sound. The pension plan as it stands now is fully funded and in good standing.

**Donna Culp, Maidencreek Township**

1. Thanked Commissioner Hadden for his service on the NBRPD Commission, commenting that it was a job well done.
2. What is the Commission doing to move forward with the operation of the department and preventative measures so something like this doesn’t happen again?
3. Could there be a citizen’s board to assist with decisions?

Commissioner Hadden confirmed that a study of the department is being conducted. The Commission is anxious to receive updated information to adopt an accurate percentage contribution for each municipality, costs to maintain the department and manpower. The Commission anticipates the report will be completed by the May Commission Meeting so we can move forward. Each municipality has growth concerns; Leesport can’t grow, Ontelaunee is still growing and Maidencreek in the last ten years had a population explosion. The contribution percentages haven’t been updated in 18 years.

As far as the budget, due to the delay in approving the 2020 budget and then the dissolution proceedings; the Commission decided to operate with the 2020 budget. The Commission is still dealing with carry over costs from previous issues. When everything is settled and we can move forward; funds will be returned.

A regional police commission allows for each participating municipality to have an equal say in governing regardless of their operational percentage.

Commissioner Strause echoed the same concerns and added, that from the beginning finances have always been Leesport’s concern, it was never about the officers.

Commissioner Franke added that the public does have a voice. We appreciate that you attend meetings. We can’t have 14,000 people involved with the decisions. We have alternates who sit in on all executive sessions so they are aware of all decisions and can provide additional input. We must proceed in an orderly fashion and abide by laws.

**Lisa Unrath, Ontelaunee Township asked;**

1. Would the Commissioners consider forming a citizen’s advisory board? This would allow for the public to be informed of decisions being made? Events of the past months became very frustrating for the community – as we were not aware of any problems with the department. There is/was a lack to transparency. First you make the decision to dissolve and then a few months later – you change course and decide to stay together.
2. I understand that historically everything ran smooth however; now there are problems with rules and order of the law.
3. Transparency is a must, locking doors or allowing people to voice their concerns. She has a concern that the Sunshine Law was violated in making decisions and then changing the decision.

Commissioner Strause explained the study will formulate fair percentages for each municipality. The study should also provide and insight to staffing and equipment. You are correct; historically (30 years to be exact) things did run smoothly up until a year and half ago. It is all behind us now and we all agreed to move forward in a positive manner.

The Commission will conduct another study in two years and then going forward maybe every three to five years. That will be the Commission’s transparency for funding and operations.

Commissioner Franke question if she was disappointed that NBRPD will remain together. Even if there was a public advisory board, there are still many decisions (mainly personnel) that can’t be discussed in public. Executive session discussions and/or decisions involving personnel will never be known to the public. NBRPD Commission and the department are moving forward and changes will take time, some you may not like. We are going to move forward. During the time period when Maidencreek was working towards their own department, I did research the idea of a citizen’s advisor board. It all came back to confidentiality and personnel issues that can never be known.

The Solicitor added that in all the time he has had the pleasure of working with NBRPD Commission; the Sunshine Law was never violated. My license is too important to be jeopardized by that type of violation.

**Harold Wagner, Leesport Borough questioned;**

1. How the retirement of Chief Horner did came about? How is the department functioning without a Chief? If it was a disciplinary issue; shouldn’t he have received a verbal, written and/or a three day suspension prior to leaving?

Solicitor Gerber thanked and congratulated all Commissioners, Alternates and Solicitors who participated in the executive session the beginning of March at Albright College. All municipality members discussed issues the Commission is experiencing and how all municipalities are affected. It was a healthy day for government. In the end, it was a long day (8 hours) but it was well worth it. NO decisions were made during this executive session. Actions were taken here at the Commission Meeting.

Chief Horner is not in the union, the Commission is limited to PA Laws and his rights must be respected. There are no disciplinary actions to be addressed. Any other information must remain confidential.

Commissioner Hadden added it was finances all along; it was never about the officers.

**OLD BUSINESS**

**Police Vehicles Retired**

Car #7 & Car #5 delivered to Village Motors – Received $1,000.00

**Resolution 2021-2 Internal Affairs**

Commissioner Franke made a motion, seconded by Commissioner Strause to adopt the Revised Internal Affairs Policy to provide a clear chain of command and procedures to investigate allegations of police neglect and misconduct, to impose discipline and to protect the due process rights of police personnel charged with misconduct and/or neglect pursuant to federal and state law. Section 2.3.1 of the current SOP manual, entitled “Officer Misconduct” is repealed in its entirety. All Commission members voted, “Aye.” Motion carried. .

**NEW BUSINESS**

**Car #10 Repair $1,550.64** Commissioner Hadden made a motion, seconded by Commissioner Franke authorizing the repairs to Car #10 to pass inspection. All Commission members voted, “Aye.” Motion carried. .

**Questions/Comments**

Josh Meck questioned why fix it, just buy a new vehicle – funds have been allocated. The funds are just sitting there and it would not be a burden on the tax payers.

Scott Eaken commented that it will be money well spent for the repairs. Car #10 can be used as a spare when another vehicle is out of service.

Bob Wood added that Officer DeBlasi is assigned to this vehicle and really likes it!

All Commission members voted, “Aye.” Motion carried. .

**Road Flares** Commissioner Franke made a motion, seconded by Commissioner Hadden to purchase 25 cases of road flares form Weaver’s for a cost of $2,580.00. All Commissioners voted, “Aye.” Motion carried.

**V-Spec Units** Commissioner Hadden made a motion, seconded by Commissioner Strause to install V-Spec units in Car #6 and Car#7 for a cost of $1,174.00. All Commissioners voted, “Aye.” Motion carried.

**EXECUTIVE SESSION 7:00 pm – Personnel – no action**

**ADJOURN**

Commissioner Franke made a motion to adjourn the meeting at 7:00 PM, seconded by Commissioner Hadden. All commissioners voted, “Aye.” Motion carried.

Respectfully submitted,

Ruth M. Manmiller

NBRPD Secretary

CC:

 NBRPD Commission & Alternates

 Kim Berger, Ontelaunee Township Secretary

 Sandra Weiser, Leesport Borough Secretary

 Christopher Gerber, Siana Law Offices