

# **VILLAGE OF MILLERTON**

## **VILLAGE POLICE DEPARTMENT**

### **FINDINGS and RECOMMENDATIONS**

**March 28, 2023**

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# 1. INTRODUCTION

## 1.1 Purpose of Study

The Village Board identified a need for an organizational study of the Village Police Department and assessment of the Village's needs for police services.

**Part One:** As per the Request for Proposals, this study is to report on whether the Village Police Department is organized in accordance with State law, including but not limited to Village Law, Civil Service Law, and General Municipal Law.

**Part Two:** As per the Request for Proposals, this study is to review the policing activities of the Village Police Department, including but not limited to calls for police assistance, crime, and traffic control.

**Part Three:** As per the Request for Proposals, this study is to assess the resident-to-officer ratio and compare it to five similar sized villages and towns in the region.

**Part Four:** As per the Request for Proposals, this study is to assess whether policing priorities and demands can be met by the Dutchess County Sheriff and/or New York State Police.

## 1.2 Research Activities

1. Review Civil Service job descriptions of current positions.
2. Interview elected officials and law enforcement personnel about police services and related duties and responsibilities in the Village and in similar municipalities.
3. Research five comparable municipalities about police services, staffing levels, management, resources, performance, and costs including compensation.
4. Review equipment and vehicle fleet to perform current police services in the Village and in similar municipalities.
5. Review current training provided to police officers in the Village and in similar municipalities.
6. Assess costs associated with any recommendations or considerations for altering police services, related duties, and/or responsibilities.

## **2 ORGANIZATION & SUPERVISION**

**Part One:** Is the Village Police Department organized in accordance with State law, including but not limited to Village Law, Civil Service Law, and General Municipal Law?

### **2.1 Findings from New York State Village Law**

To be in compliance with New York State law, the Village of Millerton Police Department must employ a “Village Chief of Police” - see attorney’s opinion below.

This finding is pursuant to New York State Village Law section 8-800, 8-800(1). Specifically, since the Village of Millerton established a police department prior to August 2, 1985 with a chief of police, the Village must continue to employ a chief of police.

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### **Village of Millerton Police Department**

To: Mayor Jenn Najdek  
From: James E. Girvin, Esq.  
Date: November 7, 2022  
Subject: Police Department-Chief of Police Issue

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Mayor, this will respond to your email of October 31, 2022, in which you asked me to provide you guidance on whether the village must have a police chief appointed as part of its police department. More particularly, you asked whether a village the size of Millerton is required by law to appoint a police chief to its police department.

Under the law, a village that has a police department must have a chief of police, with certain limited exceptions. More particularly, pursuant to New York State Village Law section 8-800, 8-800(1), Town Law section 150, and Civil Service Law section 58, 58(1-c), a village need not establish a police department, but if it does, it must also establish the position of chief of police. In 1985, the phrase “a chief of police” was added to section 8-800 of the village law to impose a requirement that a village with a police department appoint a chief of police. The amendment to Village law 8-800 included a grandfather clause excepting from the laws

requirement that if a village had a police department prior to August 2, 1985 and had not established in that department the chief of police position, then the village will not have to appoint a chief of police. However, if a village had established a police department prior to August 2, 1985 and had established a chief of police position in such department, than the chief of police position must continue to be filled. Moreover, if a village established a police department after August 2, 1985, it must establish the chief of police position. *Op. Atty. Gen. (Inf.) 85-58; 19 Op. State Compt. 209,1963; Op. Atty. Gen. 2012-8.*

New York State Civil Service Law section 58(1-c) provides that “any political subdivision maintaining a police department serving a population of 150,000 or less and with positions for more than four full-time police officers shall maintain the office of chief of police.” Notably, the solicitor general in charge of opinions has stated that if a department has less than four full-time police officers, while New York State Civil Service law section 58(1-c) would not apply to the village, the village law section 8-800(1) would still require a police chief to be appointed unless the exception to the 1985 timeframe stated above applies. In other words, notwithstanding New York State Civil Service Law section 58, the New York State Village Law does not require the village to have full-time officers in its department, and instead requires the village to appoint a chief of police, unless the grandfather provision regarding the August 2, 1985 date applies to the village department. *Op. Atty. Gen. (Inf.) 85-58; 19 Op. State Compt. 209,1963; Op. Atty. Gen. 2012-8.*

Should you have any questions please feel free to contact me.

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## 2.2 Findings from Dutchess Civil Service

To be in compliance with Civil Service rules and regulations, a police officer in the Village of Millerton Police Department must not perform supervisory duties and responsibilities.

This finding is pursuant to the duties and responsibilities as prescribed in the Dutchess County Civil Service job descriptions.

The Dutchess County Civil Service job description for **Police Officer** clearly states that “work is performed under the direct supervision of a higher-ranking officer” - see job description below.

Further, the Dutchess County Civil Service job description for Police Officer does not allow for any supervisory duties or responsibilities. All supervisory functions within a police department are to be performed by higher-ranking officers such as sergeants, lieutenants, and chiefs.

The Dutchess County Civil Service job description for **Police Sergeant** specifically notes that the sergeant position “differs from that of Police Officer by virtue of the responsibility to supervise others”.

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**POLICE OFFICER**

**DISTINGUISHING FEATURES OF THE CLASS:**

This is important work involving the enforcement of all laws and ordinances in an assigned district during a specific period. The work consists primarily of routine patrol tasks where the incumbent is responsible for the protection of life and property. Incumbent may also investigate criminal offenses and apprehend criminals. This class differs from that of Deputy Sheriff by virtue of the more limited patrol jurisdiction and the absence of civil duties. **Work is performed under the direct supervision of a higher-ranking officer** with leeway allowed for exercise of judgment and action in emergencies. Incumbent will be required to carry and operate a firearm, and to work evening or night shifts.

**TYPICAL WORK ACTIVITIES:**

1. Patrols a specific district or beat on foot, on a bicycle or in a radio patrol car;
2. Investigates suspicious activities and arrests and detains suspects for violations of federal and state laws and local ordinances;
3. Controls hostile groups and may use chemical agents such as tear gas, mace;
4. Escorts prisoners to jail and to court and has them booked on charges;
5. Watches for and makes investigations of wanted and missing persons, stolen cars and property;
6. Performs traffic enforcement activities such as issuing tickets for traffic violations, directing traffic, and standing in roadways conducting vehicle and traffic inspections or road block checks;
7. Arrests DWI suspects;
8. Responds to complaints of domestic violence, altercations, prowlers, alarms, etc. and may use physical force to make arrests;
9. Takes statements and affidavits from suspects and witnesses and records confessions in writing;
10. Determines existence of hazardous materials at scene of wreck and evacuates persons from dangerous areas (e.g. fire, chemical accident);
11. Collects physical evidence and personal property from crime scene and secures same;
12. May stand as court officer during open court sessions;
13. Makes criminal investigations when assigned as a detective;
14. May administer CPR and apply basic first aid;
15. Operates a patrol vehicle in all kinds of weather, including heavy rain and ice-covered roads and may engage in emergency driving and high-speed pursuits;

16. Responds to and conducts preliminary investigation of events, related to homicide, rape, robbery, etc.;
17. May draw weapon to protect self or third party and may discharge firearm at person;
18. Does related work as required.

**FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES, AND PERSONAL CHARACTERISTICS:**

Good knowledge of New York State Penal Law, Criminal Procedure Law, Vehicle and Traffic Law, and those parts of the Family Court Act relating to criminal proceedings; good knowledge of local laws and ordinances; good geographic knowledge of the municipality; working knowledge of basic first aid; skill in handling firearms; skill in operating a motor vehicle; ability to work under physically stressful conditions; ability to understand and carry out oral and written directions; ability to prepare reports; ability to be courteous, yet firm, with the public; ability to maintain professional standards of conduct; ability to function well in emergencies; ability to work varying shifts and overtime; and good power of observation; good memory; physical condition commensurate with the demands of the position.

**MINIMUM QUALIFICATIONS:**

Graduation from high school or possession of a high school equivalency diploma.

**SPECIAL REQUIREMENTS:**

Completion of sixty (60) college credits within five (5) years of appointment AND Completion of Crisis Intervention Team (CIT) or equivalency within two (2) years of appointment

AND:

1. AGE: Eligibility for appointment begins when a candidate reaches his 20th birthday. (Applications will be accepted from candidates who have reached their 18th birthday).
2. MEDICAL AND PHYSICAL FITNESS: Candidates must meet standards prescribed by the Municipal Police Training Council with or without reasonable accommodations. (Applications will be accepted from candidates who may reasonably be believed to meet these requirements at the time of the physical examination).
3. CITIZENSHIP: United States Citizenship is required.
4. DRIVER LICENSE: Possession of a valid Driver License to operate a motor vehicle in New York State at time of application and to maintain the position.

## 2.3 Findings from Interviews

One police officer regularly self-identifies as “Chief” and reportedly will display two stars on his collar indicating the rank of chief. This officer regularly signs messages as “Chief - OIC Millerton Police Department”.

Another officer has signed messages as “Sergeant - Millerton Police Department.

Regardless of their assumed titles, at least one police officer has routinely performed supervisory duties in relation to other police officers.

Should the Village continue to allow police officers to perform supervisory duties over other police officers it could be found to be circumventing the Civil Service requirement that only qualified supervisory personnel - such as a sergeant or chief - are to perform such supervisory duties and responsibilities.

## 2.4 Village Police Chief - Minimum Qualifications

EITHER: (A) - Seven years of full-time responsible work experience in an organized police force or law enforcement agency performing the duties of a Police Officer, at least one year of which shall have involved the full supervision of a minimum of three Police Officers;

OR: (B) - Graduation from a regionally accredited or New York State recognized college or university with a Bachelor's degree with a major in police science, criminology or a closely related field and five years of full-time responsible work experience in an organized police force or law enforcement agency performing the duties of a Police Officer, at least one year of which shall have involved the full supervision of a minimum of three Police Officers;

OR: (C) - An equivalent combination of the training and experience as indicated in (A) and (B) above.

**SPECIAL REQUIREMENT:** Candidates must have been appointed as a police officer from an eligible list established according to merit and fitness as provided by Section 6 of Article five of the Constitution of the State of New York or must have previously served as a member of the New York State Police. It will be necessary for you to provide documentation showing you meet this requirement unless you are currently employed or have previously been employed as a Police Officer in an agency under the jurisdiction of the Dutchess County Personnel Department.



## 2.5 Recommendation

The Village Trustees should immediately take the steps described within the procedure to fill vacancies described in the Employment Practices Manual part 2.2.1 to hire a Village Police Chief.

**2.2.1 Procedure:** The Board of Trustees determines if the vacancy is to be filled; whether the position is to be filled as a full-time, part-time, temporary, or seasonal position; and determine if the position is funded with appropriations. Thereafter, the Mayor, or designee, contacts the Civil Service of Dutchess County to confirm that the job title is approved for the Village of Millerton or, if the job title has not been approved, to request that the Civil Service of Dutchess County commence the approval process.

The position of a **part-time** Village Police Chief is currently included in the “Position Listing for the Village of Millerton”. Therefore, the Village Trustees may immediately proceed with hiring a Village Police Chief to work no more than twenty hours per week.

The position of Village Police Chief **part-time** is classified as “non-competitive”, which allows the Village Trustees to hire any person who meets the minimum qualifications for this position (see 2.4 above).

Should the Village Trustees decide to hire a **full-time** Village Police Chief, that position is classified as “competitive” and must be filled through competitive Civil Service examination.

### 3 POLICING ACTIVITIES

**Part Two:** Policing activities of the Village Police Department, including but not limited to calls for police assistance, crime, and traffic control.

#### 3.1 Findings on Staffing

The Village of Millerton Police Department provides public safety services for a resident population of **903** (2020 census).

According to the Dutchess County Civil Service, there are **five part-time Police Officers** on the roster, three of which work few, if any, hours in a given month.

There is one additional part-time Police Officer on the roster who is solely assigned to Town Court.

There is one Senior Police Assistant on the roster whose duty is to assist with records and reports. This employee has not worked in several months.

There are no full-time personnel in the department.

As noted above, there is no Police Chief. One Police Officer is performs supervisory duties in addition to routine patrol. Supervisory duties include managing the patrol schedule, oversight of investigations, and all in-house training.

		hours/week Jan. average	hours/week Feb. average	wage	date of hire
Erik Breen	Police Officer	20.75	20	\$20.56	04-01-2014
Michael Veeder	Police Officer	10.8	11	\$24.49	09-23-2014
Scott Mullin	Police Offer	0	0.75	\$21.64	03-02-2020
David Rudin	Police Officer	0	0	\$23.49	11-20-2000
Julia Philips	Police Officer	0	0	\$17.00	10-19-2020
	<b>Total</b>	<b>31.55</b>	<b>31.75</b>		
Kevin Kemp	Police Officer (court)	3.6	3	\$21.64	05-19-2017
Matthew Leonard	Senior Police Assistant	0	0	\$20.40	12-16-2013 03-15-2018

### 3.2 Findings on Hours in Service

There are no fixed or regular hours that the Village of Millerton Police Department is in service in any given week.

Patrols occur on either a daytime shift and an afternoon/evening shift. There are no overnight patrols.

Rather than police officers being scheduled to a specific shift, shifts are staffed if and when a given officer is available to work.

A report issued following the public listening meeting on February 2, 2021 states, *“While they do not provide 24/7 coverage they are on patrol every day of the year on a varying schedule. Back-up service is provided by both the Dutchess County Sheriff and the New York State Police for non covered hours. Generally, there is one officer on at a time doing vehicle, foot and bicycle patrols.”*

In actuality, police officers are not on patrol every day. If no police officer is available, then the shift is not covered. Weekend shifts (Friday, Saturday and Sunday) are often not covered by the Village of Millerton Police Department due to no police officers making themselves available.

In actuality, the Dutchess County Sheriff is providing coverage without the presence of the Village of Millerton Police Department during most days and hours of any given week - on average 70-80% of the entire week.

Of the 168 hours in a week (7 days X 24 hours), in months of January and February of 2023, an average **32 hours** were covered by the Village of Millerton Police Department. The remaining 136 hours are covered solely by the Dutchess County Sheriff and the New York State Police.

Calls to the local telephone number for the Millerton Police Department are not forwarded to either the New York State Police or County Sheriff. The caller is instructed to call ‘911’. 911 calls are dispatched by the Dutchess County 911 Center.

Reportedly, the Village of Millerton Police Department does not routinely provide foot or bicycle patrols.

### 3.3 Calls for Service - Village of Millerton

In 2021 (Dec 2020 thru Nov 2021), **84%** of 911 dispatched calls within the Village of Millerton **WERE NOT** responded to by the Millerton Police Department. Only 16% of 911 dispatched calls were responded to by Village police (6% solely to Village Police; 10% to Village and County/State).

Year	# calls	Village only	Village & County	Village & State	County only	State only	State & County	County/ State & Pine Plains
2021	111	7	10	1	71	7	12	3

Categories of the 18 dispatched calls that the Village police responded to:

	Village only	Village and County/State
Animal complaint/cruelty	2	0
Lockout	1	0
Non-emergency	1	0
Welfare check	3	0
Fight	0	1
Assault	0	1
Disturbance	0	4
EDP/Psychiatric	0	1
Larceny	0	1
Property Damage Auto Accident	0	2
Suspicious Activity	0	1
Total	7	11

### 3.4 Calls for Service - Town of Northeast

In 2021 (Dec 2020 thru Nov 2021), **22%** of 911 dispatched calls within the Town of Northeast but **outside the Village of Millerton** were responded to by the Millerton Police Department.

Year	# calls	Village only	Village & County	Village & State	Village/ County/ State	County only	State only	State & County
2021	230	28	14	4	6	103	49	26

Categories of the 52 dispatched calls that the Village police responded to:

	Village only	Village and County/State
EMS (P1/P2)	3	1
Personal Injury Auto Accident	0	3
<b>Property Damage Auto Accident</b>	11	2
Road Hazzard	4	0
Disabled Vehicle	0	2
Lockout	1	0
Erratic Vehicle	2	2
Parking Complaint	1	0
Domestic	0	5
Disturbance	0	1
Alarm Carbon Monoxide	0	1
Welfare Check	2	2
Noise Complaint	0	1
Suspicious Person	0	1
Electrical Outdoor	1	0
Miscellaneous	1	0
Accidental/Hang Up Call	2	3
Total	28	24

### **3.5 Police Services for Special Events**

Based on interviews there are only a few special events for which the Village of Millerton Police Department is providing police services:

Bike Rodeo (pre-pandemic)  
Car Seat  
Bike Helmet  
Memorial Day Parade  
Fourth of July Parade

### **3.6 Village Demographics**

**2020** census: 903 people

443 housing units

Of the 396 households:  
210 family households  
186 non-family households

Of the 396 households:  
99 households with children  
186 households without children

Of the 396 households:  
190 owner occupied (48%)  
206 renter occupied (52%)

### 3.7 Annual Budgets

Budget Year	TOTAL	Personnel (incl. Court Officer)	Retirement Workers Comp	Equipment	Gas - Clothing Utilities - Office
2022/2023	<b>\$119,059</b>	\$74,411	\$19,848	\$9,500	\$15,300
2021/2022	<b>\$116,742</b>	\$72,992	\$18,950	\$9,500	\$15,300
2020/2021	<b>\$114,109</b>	\$70,295	\$24,014	\$4,500	\$15,300
2019/2020	<b>\$118,809</b>	\$70,295	\$24,014	\$5,000	\$19,500
2018/2019	<b>\$115,309</b>	\$69,296	\$24,013	\$2,500	\$19,500
2017/2018	<b>\$114,259</b>	\$70,870	\$22,889	\$2,500	\$18,000
2016/2017	<b>\$106,609</b>	\$64,082	\$22,027	\$2,500	\$18,000
2015/2016	<b>\$106,942</b>	\$63,494	\$22,948	\$2,500	\$18,000
2014/2015	<b>\$99,639</b>	\$57,660	\$21,750	\$2,500	\$17,729
2013/2014	<b>\$96,391</b>	\$55,982	\$20,180	\$2,500	\$17,729

### 3.8 Findings on Training

The Village of Millerton Police Department is pursuing accreditation through the NY DCJS and began the process in 2020.

The report issued following the public listening meeting on February 2, 2021 states, *“New York State Accreditation states a minimum of twenty-one hours of documented annual training per officer not limited to the following: De-escalation, Use of Force, Firearms, EMS, Bias Training, Procedural Justice, Situational Awareness.”*

This training can be fulfilled through the use of formalized and documented training sessions where lesson plans and attendance records are maintained. This may include classroom training, roll call or video presentations. Police officers who are employed by other police agencies may consider in-service training received there toward meeting this requirement.

Based on interviews, every year police officers receive firearms qualifications on the range.

It was reported that in the past year police officers also received training in First Aid, Implicit Bias, Situational Awareness, and Procedural Justice. No documentation of the training was available other than sign-in sheets.

Records do not indicate that all officers have received recent Sexual Harassment training or Workplace Violence training.

Based on interviews, the following training has not been given recently:

Naloxone Training  
De-Escalation and Minimizing Use of Force  
Racial Profiling  
Blood-borne Pathogens OSHA Training

As noted in the above referenced report, *“Annual Officer evaluations will be added to the current policy.”*

Based on interviews there are no annual evaluations or accessible documentation of training provided to police officers.



## **3.9 Recommendations**

### **1. Days and Hours of Local Policing**

The Village Trustees should assess what days and hours, if any, police services are to be provided by the Village of Millerton Police Department. Once that is determined, police officers should be scheduled to those specific shifts.

For example, should the Village Trustees determine that local police should cover only Friday afternoon and evenings (12 hours), Saturday afternoon and evenings (12 hours), and Sunday afternoons (8 hours). Those specific shifts should be posted and police officers scheduled to work those shifts.

Further, following the above example, should the Village Trustees determine that the remainder of the week would not be covered by the Village of Millerton Police Department, then no police officers would be scheduled to work and the Dutchess County Sheriff and New York State Police would become the sole responding agencies.

### **2. Number of Police Officers**

The Village Trustees should assess how many police officers should be on the Civil Service roster.

The Village Trustees might consider a three-month 'pilot studies' to assess different schedules.

Should the Village Trustees determine that local police are needed only for thirty-two hours on weekends, as in the above example, then perhaps two or three part-time officers on the roster would be adequate.

Presently, three of the five police officers work few, if any, shifts in a given month. The Village Trustees should consider removing those police officers from the Civil Service roster and recovering their badges and Village-issued equipment.

The Village Trustees should also consider removing the Senior Police Assistant from the Civil Service roster as this position has not been utilized for several months.

## 4 COMPARABLE MUNICIPALITIES

**Part Three:** As per the Request for Proposals, this study is to assess the resident-to-officer ratio and compare it to five similar sized villages and towns in the region.

### 4.1 Dutchess County Villages

There are eight incorporated villages in Dutchess County, of which six have a police department; Tivoli (pop. 1,012) and Pawling (pop. 2,347) do not.

<b>STAFFING</b>	<b>Pop.</b>	<b>Patrol</b>	<b>Chief</b>	<b>Sergeant</b>	<b>FT Officers</b>	<b>PT Officers</b>
Millerton	903	32 hours	none	0	0	5
Millbrook	1,447	104 hours	none	1 FT/ 1 PT	0	4
Red Hook	1,961	not 24/7	none	1 FT	3	7
<b>Fishkill</b>	2,166	168 hours	2 Lieut. PT	5 PT	0	17
<b>Rhinebeck</b>	2,693	112 hours	none	1 PT	0	15
Wappinger Falls	6,073	168 hours	none	1 Lt & 1 Sgt	2	20

<b>WAGES</b>	<b>FT Officers</b>	<b>PT Officers</b>	<b>FT Sergeant</b>	<b>PT Sergeant</b>
Millerton	none	\$20.16 - \$23.49	none	none
Millbrook	none	\$21.03 - \$25.39	\$28.89	\$25.39
Red Hook				
Fishkill	none	\$22.66-\$35.44	none	\$28.18-\$35.44
Rhinebeck	none	\$23.00	none	\$36.92

<b>BUDGET</b>	<b>Total</b>	<b>A3120.1</b>	<b>A3120.2</b>	<b>A3120.4</b>
Millerton	\$119,059	\$74,411	\$9,500	\$35,148
Millbrook	\$196,582	\$173,082	\$5,000	\$18,500
Red Hook	\$478,795	\$420,400	\$0	\$58,395
Rhinebeck	\$490,620	\$391,020	\$10,000	\$89,600

## 4.2 Dutchess County Towns

There are twenty towns in Dutchess County, of which five have a police department.

<b>STAFFING</b>	<b>Pop.</b>	<b>Patrol</b>	<b>Chief</b>	<b>Sergeant</b>	<b>FT Officers</b>	<b>PT Officers</b>
Pine Plains	2,472		none	1	0	3
Hyde Park	20,851		yes		16	11
Fishkill	23,339		yes	8	8	30
East Fishkill	29,707		yes		?	26
Poughkeepsie	45,471	168 hours	yes			

## **5 ALTERNATIVE TO LOCAL POLICING**

**Part Four:** Potential for policing priorities and demands being met by the Dutchess County Sheriff and/or New York State Police.

### **5.1 Combined Local/County/State**

The Village of Millerton Police Department currently patrols the Village of Millerton approximately 32 hours each week during days and evenings but not overnight. Most hours worked occur Monday through Friday and not on Saturday and Sunday.

The Dutchess County Sheriff's law enforcement division currently patrols the Village of Millerton throughout the week, day and night, as it does all towns and villages in the County and responds to calls for service.

The New York State Police also patrols the Village of Millerton throughout the week and responds to calls for service.

Based on an interview with Undersheriff Jason W. Mark of the Dutchess County Sheriff's Office and a review of calls for service to the Village of Millerton, the Dutchess County Sheriff is now providing coverage without the presence of the Village of Millerton Police Department during most of any given week - on average 70-80% of the entire week.

As stated on the Dutchess County website, the mission of the law enforcement division of the Dutchess County Sheriff's Office is to enforce city, town and village ordinances; the State Laws of New York; maintain peace and order in the county; protect property and the personal safety of its citizens; and generally assist citizens in varied situations.

### **5.2 Combined County/State**

Undersheriff Mark stated that the Dutchess County Sheriff has the capacity - along with the New York State Police - to enforce Village ordinances and provide for the public safety of the Village of Millerton throughout the week as it does now whenever the Village of Millerton Police Department is not staffed.

The Undersheriff noted that the Dutchess County Sheriff provides programs for bike helmets and car seats.

The following is copied directly from notes taken at a meeting in 2022 of the Village Trustees and the Dutchess County Sheriff.

Village Board Questions - replies in red print

1. What is the current response time of the Sheriff in Millerton?

Current average response time in V/Millerton from 1/21-11/21 is 10 minutes and 19 seconds... ranging from 0 minutes to 56 minutes

2. How many of the Millerton events are time sensitive (ie. < 10 minutes?)

173/345 (675 total -330 property checks =345) calls from 1/21 -4/22 were time sensitive or 50% (see spreadsheet)

3. Will Millerton have a contract with the Dutchess County Sheriff's Dept?

a. YES: The Village will have a contract w/ the DC Sheriff - accurate

b. Contract renews annually - accurate

c. Will include indemnification for the Village (we will not be liable). Any liability or lawsuit for Police services, officer misconduct or damage to vehicles will fall solely on the DC Sheriff's Department - accurate, indicated in contract

4. Can we see a representative/ sample contract?

Yes, examples Village of Pawling and Town of Wappinger

5. What is the response time for requesting a change in schedule (how much advanced notice do they need)

Inclement weather cancellation is 3 hours, all other cancellation and change is 1 week (flexible)

6. Would the Sheriff's Dept. use Millerton's old vehicles? How would that arrangement work?

YES: This would be included in the contract

It could still say Millerton Police- with a line saying serviced by Dutchess County Sherrifs office (they would incur the cost of painting it on) - accurate

The liability, Maintenance and gas would be on the DC Sheriffs

**\*\*Not accurate...** liability for the vehicle, maintenance and gas would be responsibility of Village... options can be discussed in terms of Dutchess County taking control of vehicles, agreement with Village and County Auto Center, Village selling cars and using DCSO vehicle or other options in reference to vehicles

7. In addition to the contracted hours, how many hours per week would the Sheriff be in Millerton, given the substation? Approximately how many hours per week would the Sheriff be within 5 miles of Millerton? Within 10 miles of Millerton?

Hard to say... the substation would have Deputy Sheriffs turn out for all three shifts to cover their Zone and would be travelling through Millerton regularly in addition to the regular patrol for Zone 6 (includes ½ Pine Plains, Northeast, Amenia)

8. Would the Sheriff report to the Village Board, and if so, how?

a. Yes, we would have a liason to the Village. Sgt. Haire would most likely be that officer. He lives locally, and is a member of the community. - accurate

b. They can deliver a report Monthly to the Board - accurate

c. The Village will include a list of priorities to the DC Sheriff to be done on each patrolling shift - accurate

i. This would include items like specific areas to be patrolled, foot patrols requested, community engagement (ie officers introducing themselves to buinees within the Village) - accurate

9. Is it possible to have some form of a written 'memorandum of understanding' between Dutchess County/DCSO and the Village to outline what each side will be asked to deliver to the other and what the actual cost of that will be to the Village.

That would be the contract

### **5.3 Recommendations**

1. The Village Trustees should consider maintaining the Village of Millerton Police Department and implementing a series of three-month long 'pilot studies' to assess different staffing levels and the days and hours of coverage.
2. As recommended in 2.4 above, the Village Trustees should immediately take the steps to hire a Village Police Chief.
3. As part of the first 'pilot study', the Village Trustees should consider employing a part-time Village Police Chief with a flexible schedule of twenty hours per week to perform usual and customary administrative and supervisory duties and to coordinate services when needed with County, State and Federal public safety and emergency response agencies.
4. As part of the first 'pilot study', the Village Trustees should consider staffing only Friday afternoon and evenings (12 hours), Saturday afternoon and evenings (12 hours), and Sunday afternoons (8 hours). Those specific shifts should be posted and police officers scheduled to work those shifts.
5. The Village Trustees should immediately instruct all police officers not to identify as any rank other than that of a police officer.
6. The Village Trustees should consider removing from the Civil Service roster those police officers who have not worked a schedule for several months.
7. The Village Trustees should consider removing the Senior Police Assistant from the Civil Service roster as this position has not been utilized for several months.
8. The Village Trustees should consider no longer contracting with the Town of Northeast to provide a police officer to the Town Court.

**Submitted March 28, 2023**

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Workforce Planning - Labor Relations

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