Minutes - Police Diversity Board Meeting October 20, 2010, 5:30 p.m.

Attendees:  
Valentin Rodriguez - Chair  
Yvonne Stroman - Secretary  
Rafael Nunez - Board Member  
John Kramer - Board Member (had to leave @ 6:00 p.m.)  
Nicholas Noel, III - Solicitor for the PDB

Absent:  
Sunilda Tejada - Board Member  
Yvette Santiago - Board Member

Other Attendees:  
Chief William Heim  
City Diversity Officer Joseph Ayala  
Francis Acosta - City Councilman (arrived approximately 6:00 p.m.)

1. Meeting was called to order at 5:35 p.m. with a quorum being recognized.

2. The Minutes of September 21, 2010, were approved as circulated upon motion of Member Kramer and seconded by Member Stroman.

3. (a) Board Vacancies - Member Nunez recommended the name of Mr. Delfin Vasquez who has expressed an interest of serving on the Board. Solicitor recommended that a resume from Mr. Vasquez be received as soon as possible so that it can be circulated to both the PSLC and the City who need to approve any such new appointments. It was reminded that any new appointees must be residents of the City or have a significant business interest in the City as recognized by the City Charter.

(b) Status of AAP - Mr. Ayala indicated that it was his recollection that the AAP had been adopted by City Council. The Board expressed concern that the draft AAP was never provided to it for review at any time prior to adoption nor was the Board informed as to when the vote on adopting the AAP was going to be held. An inquiry was made into this regard in the latter part of March 2010, at which time Mr. Geffkin advised that the AAP was being introduced to City Council on April 20, but that no vote on adoption would be taken at that time and that we would be notified as to when that would
occurred. Mr. Ayala did not know the exact timeframe in which the AAP was adopted and took a brief leave to go to the office and locate the Resolution. Upon his return he circulated to the Board a copy of the Resolution No. 44-2010 which reflects the adoption of the Affirmative Action Plan for 2010 occurring on April 26, 2010, copies attached to these Minutes. Also attached to the Minutes is a copy of the Executive Summary of the Affirmative Action Plan. Mr. Ayala further advised that the Plan should be posted on the City website so that anyone can review the Plan. It was discussed that the Board Members do so and that if they wish to make any recommendations for modifications or changes to be considered for 2011 to make such comment. Under the law, the Affirmative Action Plan is to be revised on an annual basis reflecting the needs of the City.

(c) Clarification Regarding the Seniority of Officers Demko and Cedeno - Chief Heim was able to clarify that the reason for Officer Demko having had his seniority moved from July 27, 2009, to June 28, 2008, was a result of a directive from the United States Department of Veteran's Affairs that Officer Demko had to be credited with his time of active duty in Iraq and that, "but for" his call to duty by the military, his start date would have been June 28, 2008, along with Officers Cedeno and Melville Fegley. Since all three (3) Officers had the same start date, they are ranked per union contract by date of birth. However, the Chief did indicate that as of this date all three (3) Officers are currently active with the Police Department and that all Officers who were laid off this past year as a result of the economic crisis of the City and, who have remained eligible for rehiring, have all be rehired as of this date, including Officer Cedeno.

(d) ALTA Bi-Lingual Proficiency Test - as part of the Solicitor’s report, Attorney Noel reported that he had a telephone conversation with the City’s attorney, MacMain, and that ALTA has been in the process of interviewing various police officers within the several offices of the police department in order to determine the various issues and characteristics of the Reading population that the police deal with so that a customized test can be prepared. Mr. MacMain expected that a draft of the new test should be available very soon. Chief Heim advised that he would follow-up with Sgt. Spotts, who has been the liaison between the Department and ALTA, to determine a timeframe as to when a draft test is expected. It is hoped that this test will be available before the end of the year so that it can be used with those candidates who are currently on the active certified list so that such candidates could improve their standing by taking the test and obtaining the additional points.
(e) Ramifications of Act 47 - the Chief advised that a new contract with the Police Union will be going into effect in 2012 that will result in reduced benefits. He anticipates that the Department could lose anywhere from 25 to 50 officers by the end of 2011 due to attrition with officers either retiring early or moving to other, better compensating positions. At present, the Department has just under 170 officers which is down approximately 40 officers from authorized levels. Although the reduction in police certainly raises other concerns regarding necessary services in the City, at the same time the anticipated turnover will provide an opportunity for a number of minority and/or bilingual applicants to attain a position in the department. The Chief advised that there is an anticipation for a police academy class in March 2011 and, therefore, he is optimistic that there would be a significant group of candidates available in that timeframe.

4. Reports

(a) Chair Rodriguez - had no specific report other than what was previously discussed during the business portion of the meeting, although he had a question of Mr. Ayala concerning the new City Diversity Board which is being compromised of 12-Members. Mr. Ayala responded that the membership includes Mr. Jose Melina of the PSLC and Robert Jefferson of the Fire Diversity Board, two (2) local residents, as well as the Chief of Police, Fire Chief, a City Council Representative and a representative from the HR Department. In addition, there is a Member from each Union also sitting on the Board.

(b) Solicitor's Report - the Solicitor had no additional report other than what had previously been discussed during the business aspects of the meeting other than to add that he had held off drafting the quarterly report to the Court since only one meeting occurred in the interim since the June hearing before Judge Rufe. With the various issues now clarified at this meeting he will draft the next quarterly report and will circulate to the Board Members seeking comment/edits so that it can be submitted to the Judge within the next few weeks.

(c) No other Board Members had a report.
Chief Heim's report was covered during the business session under Part 3; however, he was asked by the Solicitor as to the status of Sgt. Mateo who has filled the position of Police Diversity Officer. Due to the attrition and the need for reassignments, Sgt. Mateo is now in charge of a platoon and is "back on the street" and no longer has the time to commit to this position. The Chief advised that he is in the process of trying to recruit one of the other Hispanic members of the department, but at the moment does not have a candidate. He reported that, at present, there are 16 Hispanic and/or bi-lingual officers in the department. The Chair noted that inasmuch as the position of Diversity Officer for the Department is included in the Settlement Agreement between the City and the PSLC that it is imperative that a replacement be found to fill that position. The Chair also asked that the Chief provide the PDB with an updated list relating to the seniority of the Members of the Police Department since there has been a fair amount of transition over the past year. Chief Heim said that he would see that a new updated list was provided to all Members.

Mr. Gelkin and Ms. Hummel were not in attendance and, therefore, no report was received.

No other unfinished business was discussed other than the quarterly report to the Court.

Public Comment - Councilman Acosta attended the meeting and was asked to comment on statements attributed to him on television that there might be "up to 90" police officers leaving the Department this year.

Mr. Acosta explained that based upon eligibility for retirement, etc. that he had said that "up to" was a possibility but that that was not really a realistic expectation. He said that he underscored this number in order to get community interest in the issue. Chief Heim indicated that he did not expect that many officers to leave but, as previously stated, anticipated a loss of anywhere from 25 to 50 officers by the end of 2011.

Next meeting of the Police Diversity Board will be on December 15, 2010, at 5:30 p.m. Member Stroman will advise as to which room we will be assigned.
No further business coming before the Board. Meeting adjourned at 6:25 p.m.

Respectfully submitted,

NOEL, KOVACS & McGUIRE, P.C.

/s/ Nicholas Noel, III

By: ___________________________

Nicholas Noel, III

NN:sh

Attachment

F:\Police Diversity Board\Suzanne\10-20-10 Board Meeting Minutes - 10-21-10.doc