

REGULAR MEETING OF WESTFIELD POLICE COMMISSION

WESTFIELD, MASSACHUSETTS

January 10, 2022

The Westfield Police Commission meeting was called to order at 59 Court Street, Westfield, MA, at 5:30 pm.

Roll Call: Leonard Osowski – Absent
Felix Otero – Present
Richard Sypek – Present

Commissioner Sypek notified everyone present that tonight's meeting is being recorded by the Chief's Secretary.

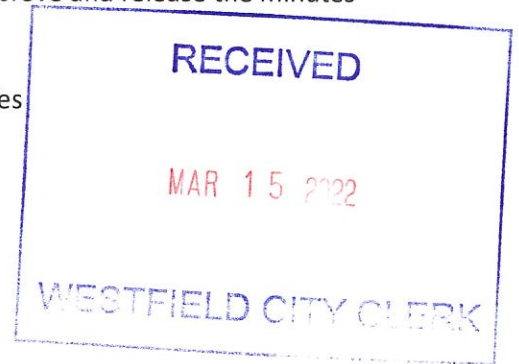
Approval and Release of Minutes: Commissioner Otero made a motion to approve and release the minutes dated November 9, 2021. Commissioner Sypek seconded that motion.

Richard Sypek – Yes - Felix Otero - Yes

Open Participation: None

Old Business: None

New Business:



A.) Vote to appoint Retired Officer Joseph Maxton as a Special Police Officer (Eff. 1/11/22): Commissioner Otero made a motion to appoint Joseph Maxton as a Special Police Officer for the Westfield Police Department effective January 11, 2022. Commissioner Sypek seconded that motion.

Richard Sypek – Yes – Felix Otero - Yes

B.) Vote to appoint Retired Officer Michael Bradley as a Special Police Officer (Eff. 1/11/22): Commissioner Otero made a motion to appoint Michael Bradley as a Special Police Officer for the Westfield Police Department effective January 11, 2022. Commissioner Sypek seconded that motion.

Richard Sypek – Yes – Felix Otero – Yes

C.) Reappoint Special Police Officers for 2022 from list provided by Chief: Commissioner Otero made a motion to appoint the following officers as Special Police Officers for the Westfield Police Department. Commissioner Sypek seconded the motion.

- Peter Albano
- Kevin Bard
- David Beauchemin
- Michael Bradley
- Dario Camacho
- Sean Coughlin
- Michael Curran
- Albert Distefano

- Dennis Donovan
- Michael Gamache
- Stephen Griffin
- Dennis Hall
- Paul Kousch
- Joseph Maxton
- Kenneth Moriarty
- Edward Murphy
- Dennis O'Connor
- Marisa Parmeggiani
- Kerry Paton
- Paul Pellan
- David Racicot
- Todd Renaud
- Michael Ruffo
- Frank Soleimani
- Michael Ugolik
- William Ullrich

Richard Sypek – Yes – Felix Otero - Yes

D.) 2021 Captain's Exam – Discussion of exam results (short list) – Vote to continue with current Provisional Promotion or set interview date to promote from short list: Chief Valliere notified the commission that he received the results of the captain's exam. He said he did not anticipate the results. He said that on December 11, 2021 Acting Captain Dickinson came to him and told him he did not pass the exam. He said he was given a zero credit for his past experience and education. He thought he had submitted everything properly and on time. He said there was a merging that took place between his old online file and his new file. He believes the forms may not have transferred when the files were merged. Chief Valliere said he would contact civil service to see what went wrong and what needs to be done. The civil service representative said that Acting Captain Dickinson would need to file an appeal. He filed the appeal and it was denied. Civil service stated they never received the education and experience forms. They assumed it was never sent or improperly sent. Chief Valliere called civil service on a number of occasions speaking with three different representatives. Ultimately, he ended up speaking with Mr. Gilbert Lefort II. He immediately agreed to look into this. He opened up Acting Captain Dickinson's records and went over what was submitted. He could see that 2 files were merged. He could see that everything was timely. He could see the emails that Acting Captain Dickinson says he sent. He could not see or find the education or experience forms. Therefore, he too had to go with the assumption that it was never sent or improperly sent. Mr. Lefort did look at Acting Captain Dickinson's education and experience forms from his lieutenant's exam and stated that he would have definitely passed the captain's exam had the forms been received. During the week of December 13, 2021 Chief Valliere sat down with Captain Pitoniak, Acting Captain Dickinson, Lieutenant Hall and Lieutenant Phelon and explained what happened, how it happened and that he would have passed had civil service received the paperwork. Both lieutenant's stated they did not believe the commission would have removed Acting Captain Dickinson had he passed the exam. Chief Valliere explained that this was a tough and very unusual circumstance. He explained to them what the commissions options were under Ch. 31 Sec 15 and what that would mean for them. He further explained why he was going to push for the Ch. 31 Sec 15 option. Chief Valliere said that Acting Captain Dickinson was promoted to this position about 8.5 months ago. He was promoted to this position due to his tremendous work ethic, his dedication to the

department and his ability to be a team player. He has an amicable and cooperative working relationship with both the Chief and Captain Pitoniak. They have several discussions a month on different topics effecting the current and future operations. He is a great listener and offers well thought out opinions and strategies. He oversees and is actively involved with both the detective bureau and the community service unit. He has partnered the department with BHN so we now have mental health clinicians who are able to respond to calls related to individuals who may be experiencing a mental health crisis. He has introduced the protocol on responding to persons with mental illness. He has created a policy for the intern program. He has created job descriptions for the detective bureau and the community service unit. He has updated a number of policies that were out of date. He currently is on the building committee for a new station. He is involved in reviewing proposals from 7 different design firms who wish to complete the feasibility study for the new station. He is trained on conducting internal affairs investigations. He has already done 4 IA investigations on his own and 2 others in conjunction with Captain Pitoniak. He is trained to preform background investigations for new hires and, in conjunction with the detective bureau, he oversees the background investigations and is a member of the interview team. He's a proven captain and has done an amazing job. The department has invested a lot of time and training into him. As the department moves down the road, the Chief cannot see taking someone with this much knowledge and training out of this position. The Chief said when he retires the department is going to need people with this experience and knowledge. He knows this is a tough position and he feels for Lieutenant Hall and Lieutenant Phelon. Chief Valliere said had Acting Captain Dickinson simply just failed his test and it wasn't a technical issue he wouldn't be able to recommend this. It is his recommendation to go with the option of Ch.31 Sec. 15. Commissioner Sypek asked Chief Valliere if he had spoken directly with civil service about Ch. 31 Sec. 15 and if the commission can continue with the provisional appointment until the next exam. Chief Valliere said he had and he was told the commission can do this. Commissioner Sypek asked Acting Captain Dickinson to explain what happened and why it happened. Acting Captain Dickinson said he believed he had filed the proper paperwork. He reached out to civil service while he was originally filing out the application the first week the exam opened. He sent in his payment and started to fill out the application. He said the application did not look right to him which is why he reached out. He was told he was on the right exam, but that he was set up with 2 accounts. One was from when he took the lieutenant's exam. He was unaware his previous account was kept. He was advised to send an email to a specific email address and the accounts would be merged. He did that and received a confirmation that his files had been merged. Commissioner Sypek asked Acting Captain Dickinson if it was his understanding that by merging these files, civil service would still have copies of his education and experience. Acting Captain Dickinson said he believed everything he had filed out previously would be merged. He did not find out that civil service did not receive the other paperwork until he received the results of the exam. He said he also had problems uploading other files onto the website. He then called civil service back and was told he could just email the other forms. This was not his education and experience forms, but they were received and made a part of his application. Commissioner Otero asked Acting Captain Dickinson if he thought his education and experience were being made a part of his application. Acting Captian Dickinson said he did. Commissioner Sypek asked Acting Captain Dickinson if he was ever notified that civil service did not receive all of his paperwork. Acting Captain Dickinson said he received a generic email throughout the process that said they had not received his education form and if he had already sent it in to please disregard. He believed he had sent it in so he disregarded the email. He did upload and email the other forms again though. Commissioner Sypek asked Acting Captain Dickinson if, at the time he took the written exam, he was under the assumption that he had completed the application and if anyone at the time of the exam told him he was missing anything. Acting Captain Dickinson said he was not notified at the exam and believed he had turned in a completed application. Commissioner Sypek asked Acting Captain Dickinson what he feels he could have done differently. Acting Captain Dickinson said he could have printed the paperwork. Chief Valliere said this is a fairly new captain's

exam form and the website requires the applicant to pay attention while navigating the website. Commissioner Sypek asked if there is anyone at civil service that Acting Captain Dickinson could have called to verify if his application was complete. Acting Captain Dickinson said he could have called the woman he emailed his other paperwork to. Commissioner Otero asked if it is a common practice to have to double check a check list to verify your forms are complete. Commissioner Sypek said he does not understand how they allowed someone to take the exam if their application wasn't complete. The commission asked Lieutenant Hall what his process was like. Lieutenant Hall said when he submitted his application he received an email stating that they received all of his paperwork and what his score was based on his education. Commissioner Sypek asked Lieutenant Hall what his score was. Lieutenant Hall said his score for the education component was a 97.5. He said he has a Master's Degree which gave him 9 points alone. This is 20% of the overall exam score.

The commission asked Lieutenant Hall if he would like to speak to the commission. Lieutenant Hall said he hates that we are all in this position. He said he had a 45 minute conversation with Acting Captain Dickinson already. It is difficult. They get along very well and Lieutenant Hall is currently working for Acting Captain Dickinson. He thinks they see eye to eye on the community service unit and where they would like to see it go. When he was coming up as a patrolman, he would look up the chain of command and there always appeared to be 2 sides. He said he would never let that happen and he feels it's situations like this that cause those issues. He does not think that will happen with him and Acting Captain Dickinson. He said yes, Acting Captain Dickinson made a mistake, but he made a mistake on a tested and scored part of the exam. When you read through the results, it states the only way to submit is through the online process and if you do not do that way, it will result in a failed examination. He said this exam process was identical to the exam he took previously. The other candidates who took the exam were able to and did submit all of their required paperwork and passed the exam. Lieutenant Hall said he does not disagree with anything that was said tonight about Acting Captain Dickinson's performance. He said he feels he is doing a great job. He said there's what can be done under Ch. 31 Sec. 15 and what is fair to not only himself but also Lieutenant Phelon who did submit their paperwork properly and on time. He said he will support any decision the commission makes, but this is a situation no one ever expected to be in. Commissioner Sypek said that as Lieutenant Hall pointed out, Acting Captain Dickinson made a mistake. Lieutenant Hall said had he had made a mistake on a handful of questions, he would have failed. Being able to submit your paperwork properly is still a part of the test and your score. Commissioner Sypek said Lieutenant Hall is highly respected amongst the commission.

Captain Pitoniak said that Acting Captain Dickinson has been in his position since April. From the start, he wanted to learn as much as he could. They have done a lot with internal affairs. They have done several investigations. He has a lot of background in investigations and does a great job with them. He has been heavily involved in writing up new regulations and policies. He has taken it upon himself to do this. He is the primary public information officer. He started up the department's partnership with BHN. He is involved with the SRT program. He has taken over the captain's indicator list. He keeps track of the daily press reports and also with the emergency management department. That is a huge undertaking. Captain Pitoniak said he cannot see taking Acting Captain Dickinson out of this position. He has spoken to Lieutenant Hall about this and believes he will be the next Captain. It is Captain Pitoniak's opinion that the commission should keep Acting Captain Dickinson in this position and have him re test.

Commissioner Otero said he reviewed the list of duties that the acting captain has been doing. He has also known Lieutenant Hall for a long time and knows he does an awful lot for the department. However, based on how the Captain and the Chief feel, he has to agree with them. Commissioner Sypek said he always promised to be objective and his standard will always be on what he feels is in the best interest of the department and the City of Westfield. He said this is the first time this type of situation

has been presented to the commission. He said when the commission did the initial interview for this position, they felt then that Acting Captain Dickinson was the best candidate and he does not feel, based on everything that was said tonight, that that opinion has changed. Chief Valliere said this will not be an easy road, if the commission goes with Ch. 31 Sec. 15. Acting Captain Dickinson will have to retake the test and they will need 4 people to take it as well.

Commissioner Sypek made a motion to continue with the current provisional promotion under Massachusetts general law Chapter 31 Section 15 to continue to have Acting Captain Dickinson stay as a provisional captain until the next captain's exam. Commissioner Otero seconded that motion.

Richard Sypek – Yes – Felix Otero - Yes

Chief's Report:

- A.) Recognize officers for No Shave November/December fund raising: Chief Valliere said he believes the paper had an article in it about this. He said that this fund raiser was led by Officer Rowe and Officer Coderre. This is their 3rd year doing this. They raised \$8,384.00 this year for Home Base which raises awareness and funds for veterans and their families.
- B.) Motor Vehicle Report: The motor vehicle fleet is in good shape.
- C.) Sick & Injury Report: Captain Pitoniak said that there are 6 officers out covid positive and 1 awaiting results. There have been 12 out this year so far with covid. There are 3 officers out on a long term military leave. There are currently no officers out on IOD. There are still 7 officers in the academy and they are doing well.
- D.) Building Maintenance Report: Captain Pitoniak said they received 7 proposals for the feasibility study. There are 3 or 4 that looked very good. They are hoping to have them in around the end of January to present their proposals. The current building is still being worked on to address the issues that were found during the inspections.

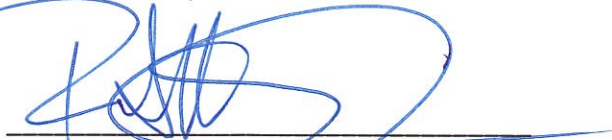
Announcement of Next Regular Meeting: The next meeting of the Westfield Police Commission will be held on Monday February 14, 2022.

Motion to Adjourn: At 6:20 pm Commissioner Sypek made a motion to adjourn.

Richard Sypek – Yes – Felix Otero - Yes



Commissioner, Felix Otero



Commissioner, Richard Sypek

APPROVED FOR RELEASE ON

3/14/22