The Board of Selectmen met in Executive Session on Wednesday, May 19, 2010, in the Tisbury Town Hall.

Present: Jeffrey C. Kristal, Chairman; Geoghan E. Coogan, Tristan R. Israel, Clerk; John R. Bugbee, Town Administrator and Aase M. Jones, Assistant to the Town Administrator.

Call to order: 6:00 p.m. by Chairman Jeffrey Kristal, who announced that the Board needs to go into Executive Session for a discussion of collective bargaining strategy and contract negotiations, and asked for a motion to do so.

Motion: To go into Executive Session to discuss strategy with respect to collective bargaining and contract negotiations, to reconvene in Open Session. Seconded.

Mr. Coogan: Yes; Mr. Kristal: Yes; Mr. Israel: Yes.

Convened in Executive Session: 6:05 p.m. M/s/c.

Also Present: Police Consultant Robert Wasserman.

Tisbury Police Department Report Status: was discussed.

Mr. Wasserman reported that he is wrapping up his report which contains recommendations for the department and suggestions regarding the issue of a proposed merger with Oak Bluffs Police Department.

Mr. Wasserman began by addressing the situation within the Tisbury Police Department under Dan Hanavan as Interim Chief. He noted that Dan Hanavan started out pretty much as expected, coming from being a patrolman to being appointed Interim Chief, with a tentative approach to the new role as Chief, but has put in place operations as Chief, and while still learning the role, has accomplished much without any “explosions”. Mr. Wasserman pointed out that the Department has three of what he described as “problem officers” – Fiske, Ogden and Kelly Kershaw.

Mr. Wasserman continued by stating that Officer Ogden wants to be a different kind of police officer, adding that as Chief Dan Hanavan has “shortened his chain” considerably.

Mr. Wasserman continued by stating that Sgt. Stobie has not been particularly helpful throughout this process, adding that he feels it was a mistake to promote him to Sergeant the way it was done without a process. He continued by stating that Sgt. Stobie’s style of policing is not acceptable at this time and added that he hopes that maybe he will retire. Mr. Wasserman suggested further that the Town would never lose by opening up the process for advancement to all, noting that Stobie’s promotion to Sergeant created resentment from the other officers.

Mr. Wasserman then asked the rhetorical question – where to go from here? He answered the question by stating that he thinks the Selectmen should make Dan Hanavan Chief, while still looking into merging with Oak Bluffs and that the option would then be to make Erik Blake Chief, and that Erik Blake could then be Chief half the
time in Tisbury and half time in Oak Bluffs. Mr. Wasserman pointed out that we would not be the only Towns that have done this, noting that this could be done through an Inter-Municipal Agreement, which would designate one Town to become the Police Department and that the other Town could become part of that department.

Mr. Wasserman acknowledged that the challenge will be to make everyone equal so that no-one will get hurt. He stated further that there cannot be two separate salary scales, adding that Tisbury would have to go to the Oak Bluffs level in terms of salaries, and our fringe benefits would have to be given to Oak Bluffs officers so that the terms of employment are all equal for everyone.

Mr. Wasserman continued by stating that a more comprehensive study could be done by the Division of Communities and Development, adding that the Town of Ashby is looking into a similar consolidation of police services with another Town.

Mr. Wasserman commented further that this - merging with Oak Bluffs for police services - is not an easy thing to do, but agreed that it is not a bad idea. He pointed out that Tisbury would have less control over its department with Erik Blake as Chief, but added that when Blake became Chief he did not know how to be a chief either.

Mr. Wasserman commented on the performance of Acting Interim Chief Dan Hanavan stating that Dan Hanavan’s role has been to learn on the job while holding the position of Interim Chief by seeking advice all the time.

Mr. Wasserman then commented on his perception that Tisbury does not have the right labor counsel for union issues, adding that the Town needs someone who is tough.

Discussion followed on the behavior of Sgt Fiske, which Mr. Wasserman stated has changed somewhat in recent months following a firmer approach by Chief Hanavan, who is not letting Fiske get away with certain behavior.

Mr. Wasserman noted further that the Town of Oak Bluffs Police Department has a different style of policing than Tisbury, suggesting that certain Tisbury officers would be better off in Oak Bluffs. Mr. Wasserman concluded by recommending that the Selectmen appoint Dan Hanavan Chief for the next couple of years, with a 2-year contract, then later pursue a merger with Oak Bluffs.

Mr. Israel stated that the Selectmen need to get this concept (of a merger with Oak Bluffs Police Department) out in the open.

Mr. Wasserman agreed, adding that it will be out after this, and pointing out that the Board needs to have the political will to pursue this goal.

Mr. Israel inquired what would happen to Dan Hanavan if a merger takes place. Mr. Wasserman suggested that he could be promoted to Lieutenant or Assistant Chief.
At this point Selectmen Kristal suggested a one-year contract with Dan Hanavan. Mr. Israel stated that he favors a two-year appointment for Dan Hanavan as Chief.

Mr. Wasserman pointed out that Erik Blake would want more money if covering two departments, noting that he is now making $102,000. Mr. Wasserman then asked for input from each Selectman regarding this issue.

Mr. Coogan suggested that this should be done by each Selectman individually in meetings with Mr. Wasserman. The Selectmen agreed.

Mr. Wasserman then stated that once an agreement to merge (police departments) with Oak Bluffs has been reached, everyone must get on the same page with regard to the wage scale for officers in both Towns. Mr. Wasserman continued by suggesting that a one-year appointment for Dan Hanavan as Chief could be done, then the Town could aggressively move toward a merger.

Mr. Israel noted that there are many questions here, more so in the sharing of police services than for instance Shellfish Department where there is an opportunity to share resources and services of David Grunden.

Mr. Kristal stated that he feels the problems are not insurmountable, adding that he expects to see some attrition through retirement among the Tisbury staff, with the potential for a reduced police force. Mr. Kristal pointed out that only one court officer will be needed and suggested that over the long run there will be considerable savings. He noted that initially many small steps can be taken that do not need a formal agreement.

Mr. Coogan raised the issue of the open process that Mr. Wasserman has advocated for promotions, and asked if this should apply to the appointment of a permanent Chief as well.

Mr. Wasserman then stated that if the Selectmen hired an outside Chief at this point, given what Dan Hanavan has accomplished as Acting Interim Chief, that would not work.

Mr. Coogan inquired how a proposed merger would affect Dan Hanavan’s future prospects, even if appointed permanent Chief for a year or two now, suggesting that he would still be what he described as a “lame duck Chief”. He then asked if Dan Hanavan is aware of the Board’s intention of going in the direction of sharing a Chief with Oak Bluffs and a merger of the two (police) departments.

Mr. Wasserman informed the Selectmen that being appointed Chief, is better for Dan Hanavan than acting Interim Chief, adding that he is still in the department, and is aware of Mr. Wasserman’s thoughts on the matter of a possible merger with Oak Bluffs and the direction in which the Board is moving.

Mr. Israel concurred, noted that Dan Hanavan would be the “top dog” in the Tisbury Police department while the Board explores the possibility of a merger with Oak Bluffs.
Mr. Coogan raised the question if Dan Hanavan could handle two departments if Erik Blake were taken away – could Mr. Hanavan handle this alone?

Mr. Wasserman responded by stating that his sense of that would be that Mr. Hanavan would make a call to him before making a decision to take a certain action in a specific situation, adding that it would be good for Dan Hanavan to have a labor counsel who is quick and supportive, which he stated that he does not have at present.

At this point Mr. Kristal stated that he is hearing that Dan Hanavan is talking about internal “stuff” outside the department.

Mr. Wasserman assured the Board that Dan does not do that any more, and commented to Mr. Coogan that he did a good job working with the department. Mr. Wasserman further denied that Mr. Hanavan had spoken to him about the failed override as he was in London on business at that time.

Mr. Israel then stated that he wants to appoint Dan Hanavan Chief of Police.

Mr. Wasserman suggested that by the end of business next Monday, he would like to have had individual conversations with each of the Selectmen regarding this matter.

Mr. Israel suggested that the Board members need to have a discussion amongst themselves about the length of the appointment for Dan Hanavan as Chief.

Mr. Wasserman requested that the Selectmen sit down and talk with him individually first, then decide on the appointment, and offered that he will be available through next Monday.

At this point Mr. Wasserman presented a draft copy of his report to each Selectman, stating that this document is only for review by the Selectmen.

Mr. Wasserman, in conclusion, commended Acting Chief Hanavan for instituting the practice of having the Sergeants give the patrolmen directions prior to each shift.

There being no further business,

Motion to Reconvene in Open Session:  6:30 p.m.  M/s/c.

Respectfully submitted,

Jeffrey C. Kristal, Chairman
Aase M. Jones, Asst. to Town Adm.

Geoghan E. Coogan
Tristan R. Israel, Clerk