

CENTRAL BUCKS REGIONAL POLICE COMMISSION
Minutes
May 28, 2014

The monthly meeting of the Central Bucks Regional Police Commission was called to order by Ms. Margaret Remmey at 7:30 PM. All commission members were present with the exception of Mr. David Holewinski, Mr. Ron Strouse and Mr. Det Ansinn. Also present was Chief James Donnelly. The Pledge of Allegiance was led by Ms. Margaret Remmey.

Approval of Minutes: A motion was made by Ms. Susan Madian to approve the meeting minutes of April 28, 2014; seconded by Mr. David Laustsen. Motion approved.

Finance Report: A motion was made by Ms. Madian to accept the Finance Report; seconded by Mr. Laustsen. Motion approved.

Police Activity: The Police Activity report for April was submitted and reviewed.

New Business:

Alternate Commission Member Opening – Mr. Joe Cangelosi has resigned from the Commission leaving an Alternate member vacancy. It was suggested by Ms. Remmey and agreed by the Commission members to table the item until next month's meeting.

Law Enforcement Program Bill – Chief Donnelly requested the Commission support the proposed Law Enforcement Grant Program Bill presented by Representative Seth Grove of the 196th District. The bill requests grants be provided to regional police departments through the State Gaming Fund. A motion was made by Ms. Madian to provide support letters by the Commission to Representative Marguerite Quinn and Representative Katherine Watson; seconded by Mr. Laustsen. Motion approved.

Old Business:

Audit RFP – Recommendation for the Audit RFP will be tabled until the next Commission meeting.

Actuarial and Pension RFPs – Chief Donnelly stated responses to the RFP's are starting to be received. The deadline for proposals is June 4, 2014. A summary of proposals submitted will be available for the next Commission meeting.

Public Comment:

New Police Facility - Mr. LaMontagne, New Britain Borough Council member, raised the subject of the new police building suggesting New Britain Borough should be considered as a location pointing out Doylestown Borough real estate is significantly higher than New Britain Borough. He further suggested that wherever the police building is located, that Borough offices should be separate; creating a better image should other police departments eventually join the regional department. Ms. Remmey stated the next Doylestown Borough Public Works meeting will be held on June 2, 2014 at 6:00 PM and is open to the public. Chief Donnelly explained the meeting is a regularly scheduled Public Works meeting and not a special committee tasked with finding a new police site. Chief Donnelly explained the process of locating a property is at the beginning stages and location of the building was not an issue; the driving factor would be to find a suitable building that is cost effective, especially considering both Boroughs have equal financial interest in the proposed facility. He further invited all property suggestions that were located in New Britain Borough should be brought forward for consideration.

Animal Complaint – Several residents of N. Tamenend Avenue were present, including: Ms. Gwen Preston, Ms. Andrea Rihl, Mr. Dan Kinter, Ms. Kathy McDermott, Ms. Lori Kesilman, Mr. Stuart Kesilman, Mr. Derek MacMillan, and Ms. Kathy MacMillan.

Mr. Kesilman addressed the Commission regarding his dog's demise on April 27, 2014. Mr. Kesilman requested the second investigative report be amended to include statements made by Ms. Kesilman in various e-mails submitted to the police department; specifically, that Mr. Roussell's dog leaned onto the Kesilman property and did not remain fully on the sidewalk. Mr. Kesilman stated they would like the dog to be muzzled as they feel this could happen again to another dog or a child.

Several concerns were heard from the residents including wanting a picture of the dog to circulate as being dangerous, lack of understanding why the dog has not been designated as "dangerous," lack of penalties toward Mr. Roussell and the perceived lack of remorse on Mr. Roussell's behalf.

Chief Donnelly stated, the second investigation, conducted by Lt. Pat Penecale, concluded the Roussell dog is not a danger. Chief Donnelly suggested if the Kesilmans were not satisfied with the result of the investigation, that it is their prerogative to pursue the issue in District Court. Chief Donnelly addressed the picture issue explaining his request for a picture from Mr. Roussell was denied. Lt. Penecale provided a description of the dog as follows: a muscular dog weighing approximately 55-60 lbs, predominantly black, labador retriever, may be mixed with one or more breeds.

Lt. Penecale reviewed his investigation with the residents explaining that although he is very familiar with dogs and was a K-9 officer for many years, he is not an expert in dog laws. For this reason, he conducted his interviews and then deferred to the experts in the field, Ms. Verna North, Dog Warden and Mr. George Bengal of the SPCA. Lt. Penecale read from the dog law several times during the discussion and explained that the police are limited by the confines of the statute. The expert's conclusion is the Roussell dog does not meet the requirement of a dangerous dog. In order for that to happen, lack of reasonable control of the dog would have to be present; Mr. Roussell had the dog on a leash, on the sidewalk and the dog was not straining against the leash, thereby concluding that Mr. Roussell had reasonable control of his dog.

Several times during the discussion, it was eluded that because Mr. Roussell is a Buckingham Police Officer, that perhaps the investigation was prejudice. Chief Donnelly stated that there is an internal investigation going on to find out if there was any favoritism in the first investigation; however, because of the undercurrent, he launched a second investigation led by Lt. Penecale to ensure it was done thoroughly and correctly.

Discussion continued regarding how the District Judge would handle this as a civil matter. Chief Donnelly and Mr. Lautsen both explained the Judge will not be privy to the police report. This would be a new case in front of the Judge with an opportunity for both sides to present their case.

In concluding, Chief Donnelly agreed to include Ms. Kesilman's e-mails as a supplemental to the report. Lt. Penecale agreed to discuss the e-mails with both experts to see if the new information would render a different outcome.

Adjournment: A motion was made by Ms. Remmey to adjourn at 8:50 PM; seconded by Ms. Madian.
Motion approved.

Respectfully submitted,

James Donnelly
Chief of Police