

Article 12

DRAFT Structure for Shared Chief

1. **Hiring Committee** to consist of at least 3 representatives from both towns. They will screen applicants, conduct initial interviews and recommend 3 or 4 applicants to the Selectboards for final selection.
2. Selectboards will meet **jointly** to **interview** final candidates. The Candidate who receives a majority of the votes will be offered the job and, upon completion of pre-employment requirements, will be offered the position.
3. Both towns will **pay** the new chief 50% of the agreed upon salary for 20 hours of work. **Quinn bill** reimbursements, if eligible, will be completed separately by the towns for 50% of the benefit.
4. One town will sponsor the chief for **benefits**. The chief will receive all benefits offered full-time employees in that town. The other town will reimburse the sponsoring town 50% of the cost of the benefits.
5. The other town will have an account for the **chief's expenses**, such as mileage in a personal vehicle, conference and professional membership fees, etc. The other town will reimburse 50% of the account amount.
6. Each town shall provide a **job description** for the chief. The town will make an effort to have the job duties be the same.
7. During the chief's employment, **oversight** of the chief and the police departments will be completed by each town's Selectboard directly through regular meetings with the chief. Each Selectboard will complete a separate performance review of the chief according to the town's personnel policy.
8. After the first 6-months, any **discipline** necessary for the chief will be done according to the town's disciplinary procedure directly with the chief. The other town will be notified of the discipline within 1 week of its completion.
9. Each town will provide a full-time sergeant and other **staff** for its department as determined by each town's Selectboard.
10. Each town will provide a **police station and equipped office** for the chief. Where the chief completes duties and reports is flexible (chief can do one town's work in the other town if needed) as long as the chief completes both towns' work and the chief has an equal presence in both towns.
11. **Injury on duty** claims shall be filed on the town in which the accident occurred. If an accident occurs on a duty that serves both towns, then the claim shall be filed against both towns and both towns (or their insurance) will pay 50% of the cost.
12. **90-days after hire**, the two Selectboards will meet with the chief to check in on the arrangement and the chief's performance. The chief will attend this meeting.

13. After a **6-month probationary period**, the two Selectboards will convene another meeting to decide if they want to complete an employment agreement with the chief for another time period. The chief will attend this meeting.
14. Either Board or the chief may convene a joint meeting of the two Selectboards to **review** the joint arrangement at any time.
15. Agreement shall be for a **term** of 1 year or until the end of FY 2006.
16. At the **conclusion of the first year**, the Selectboards and chief will again meet to review the arrangement and the Boards will vote as to whether or not they want to continue the arrangement. If the Boards vote in the positive, then the arrangement will be continued for a second year.
17. During the second and following years, either town may **withdraw** from the arrangement at anytime as long as the other two parties are provided with 90-day notice of intent to withdraw.
18. After the second year, the agreement will **automatically renew** unless there is a notice of intent to withdraw.

Shared Chief Pro Arguments from Shutesbury and Leverett

- Efficiency in certain areas of police dept. administration – scheduling, grant writing, training
- Raise professional affiliation and accreditation
- Widen pool of applicants due to higher salary. Joint town search committee aiming to hire the best candidate for the job
- Higher salary for chief hopefully leads to retention of candidate
- Both towns now without chief in place allows this investigation into the benefits of the shared position
- Both towns want stable, professional Police Departments
- Since both towns have accepted the Quinn Bill, the chief would be eligible for Quinn bill benefits if qualified
- Need to maintain a consistent force so police officers are known to members of community
- Coordination leads to better back up and better coverage
- Formalize a strong Mutual Aid Agreement between the towns
- Greater community overview of issues requiring police involvement
- Possibly lead to additional money for additional coverage
- Similar towns:
 - 1) Same goal of serving residents with best police force possible
 - 2) Same land size, population, length of roads, share a large boundary line
 - 3) Same County; same court

- 4) Similar budgets size: Regional School is approximately 30% of our budgets
police budgets approximately 4% of our budgets
 - 5) Many areas of the towns have a close community connections already
 - 6) Same State Senator and Representative
- Presently working together in many areas
 - 1) Joint Broadband Committee
 - 2) Members on the Lake Wyola Dam Inspection Committee
 - 3) Lake Wyola State Park Advisory Committee
 - 4) Members of Select Boards, School Committees, Finance Committees involved in the Regional School Middle and High School operation and budget
 - 5) Joint training with Fire Department
 - 6) Members of the FRCOG and the Franklin County Inspection Department
 - Towns previously shared Town Administrator, Jane Davis
 - Not enough administrative work for a Full time Chief in each town, so a full-time chief would complete patrol shifts at a much higher pay rate than patrol officers complete patrols

Shutesbury Concerns about a shared Chief:

- It could be difficult to find someone capable and willing to serve two towns and to manage two police departments
- With fewer hours and an increased emphasis on administrative duties there is concern with how much contact the Chief will have with each community
- One Chief serving two towns will reduce the opportunity for officers' upward mobility
- With a shared Chief there is some concern that each community will relinquish a degree of control over its department
- There is concern in Shutesbury that some of the recent problems in the Leverett police department will be imported to Shutesbury with a shared police chief
- Currently the Shutesbury police department is a professional cohesive department, why fix it if it is not broke
- There could be conflicting priorities for each town

Leverett Concerns about a shared Chief:

Some Arguments Against A Shared Chief of Police
Chief Edward Fleury, Pelham PD; Officer Ralph Mroz, Leverett PD

In any human process, the devil is in the details. While the Chief Fleury—who has nothing to gain whatever the outcome, and the Leverett Police Association—which currently represents all of the Leverett police officers, are against the idea of a shared Chief, it is not because of any philosophical opposition to the concept in general. Rather it is because we see the risks of a shared Chief in this circumstance as far outweighing the potential benefits. Since there is nothing “broken” now in the workings of each town with its own Chief, taking such a

considerable risk is not only unwise, but completely un-necessary. Several illustrative points follow.

- The monetary gains, as identified by the study committees of each town are negligible—a mere couple thousand dollars. This amount is well within the margin or error of the estimates used to arrive at this conclusion.
- Unlike the Chiefs in larger town and cities, in order to be effective, the Chief of Police in a small town must be intimately acquainted with the populations of each town. This is possible in either town now, but not in both combined.
- The Chief has many responsibilities outside of strictly law enforcement: emergency planning and management; capital planning; budgeting; scheduling; court interactions; union issues and negotiations (each town has a different police union); employee grievances; employee issues; interaction with the highway, finance, personnel conservation, building/zoning, all other local boards and departments. The Chief must know all the players on all of these bodies, know their concerns and issues, and must navigate the local political issues involved. Two towns means twice as much of all this work—there is little if any synergy here.
- A typical small town Chief spends about 20 hours a week on administrative and community matters as described above, about 20 hours a week patrolling and developing/coaching the skills of his or her officers, and often another 20 hours a week responding to emergencies and catching up on miscellaneous things that need to be done. With two towns to manage, and with little/no synergy in most administrative matters, almost all of a shared Chief's time (40 hours a week) would be taken up with administrative matters. Who will then perform the other vital functions just described that the shared Chief cannot? The answer is that a shared Chief would necessitate a significant increase in the infrastructure of each department: more sergeants and more full-timers—expenses not accounted for in the financial analyses done to date.
- The political issues of which town pays for what, which town gets which resources, etc. etc., can only be imagined—but it is disingenuous to suggest that they won't exist in spades. The expression "buying a pig in a poke" is quite apt here.
- Rather than widening the pool of applicants for the Chief's job, a shared Chief would narrow it. What person with any other options available to them would want to wade into such uncharted and politically charged waters?
- What happens if one town is satisfied with the Chief but the other is not?
- How will any conflicting police-related priorities of the two select boards be resolved?
- Unknown legal issues are sure to arise. Imagine the time, money and energy that these will drain.

Essentially, we see nothing to gain and much to lose by implementing a shared Chief. Since nothing is broken now, where is the wisdom in, and what is the motivation for, instituting an unknown "fix" with huge risks?