

Town of Montville  
**Montville Law Enforcement Feasibility Committee**  
**Meeting Minutes for Tuesday, December 16, 2014**  
6:30 p.m. – Room 203 – Montville Town Hall

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

Present were Bill Bucko, Jeff Buebendorf, Robert Giffen, Victor Lenda, Tim May, and Wills Pike. Absent was Joe DePasquale. Also present were Lt. Leonard Bunnell, Resident State Trooper Sgt. James Smith, and Public Safety Commission Chairman David Jetmore and Member James Moran.

4. Presentations

a. Douglas S. Fuchs, Chief of Police, Redding

Chairman Pike thanked Chief Fuchs for taking the time to speak with the Committee, introduced the members, commended the 2008 CT Police Chiefs Association Report in which he played a part, and provided a brief background of the Committee and their charge.

Chief Fuchs is on the CT Police Chiefs Municipal Association Municipal Police Support Committee as well as the only sitting Chief for a town that has transitioned from the RST Program to an independent police department. Previous to Redding, he worked in the town of Ridgefield. Based upon his experience with six to seven other towns for whom similar reports have been created, one of the biggest, if not only, fear a town has of the transition is the cost, but, he stated, Redding's budget from their second year of operation as an independent police force was lower than in their first year. Some of the pros the Town has experienced since the transition includes:

- Reduction in overtime costs, which he views as one of the biggest liabilities, due to a number of factors, including a change in the scheduling from a 5/3 schedule (five days on, three days off), which the State Police utilizes, to a 4/2 schedule, which he believes, along with the 5/2 schedule, is the industry standard. The revised scheduling provides a more balanced work schedule and officers work more hours thereby resulting in a reduction in overtime. In addition to the schedule change, a very careful and constant monitoring of their overtime hours is conducted. Some of the overtime costs are also minimized contractually, e.g., overtime is not possible for conducting research. Officers can and will often switch workdays for training or research.
- Reduction in costs for a Police Chief vs. a RST, who is usually a Sergeant, paid approximately \$160,000.00 to \$170,000.00 in most towns, and works less than a Chief, who, like himself, works at least 10 hours a day and is available 24/7.

- A Police Chief provides stability and longevity to the Department and the town. The Chief of Police is the Department Head of his/her department and ultimately aims to do what is best in both the present and future interest for the town, as a whole, and the department, specifically. He, himself, has been the Police Chief in Redding for 12-1/2 years and looks to the future and aims to make his organization grow so that the department is the best it can be.
- Oftentimes, newly-hired officers apply to a RST town to receive their certification and, after receiving their certification, apply for a position elsewhere, usually at an independent PD, where they intend to stay for the remainder of their career. This high turnover rate results in costs that are not immediately evident for such items as uniforms, training, etc. Lt. Bunnell confirmed that this is often the case in his Department. In contrast, in Redding, he has witnessed very little turnover, most of which are due to retirements.
- With an independent police department, the Town is able to establish its own command structure, i.e., chain of command, training, and staff structure. Though an independent police department works and is its own entity, the State Police are still available to assist the police department. In Redding, because the protocols differ, they have actually experienced faster service from the State.
- The Town is no longer subordinate to the RST whose first allegiance is to the State. As such, their working relationship with the State Police has improved exponentially as both parties now work at the same level (rather than the town being subordinate to the State) and work together, assisting each other as needed to fulfill the same goals. In addition, the RST is often a young and inexperienced sergeant who is assigned to work with a more experienced lieutenant (or similar) in a town, who becomes subordinate to the RST. This could result in a decrease of the morale of the lieutenant and officers in the department. Similarly, when called upon to a scene, a Junior Trooper with little experience could be charged with handling a situation for which the lieutenant or other officer(s) may have more experience.
- An independent police department has the ability to apply for and receive grant funds. Those grants received by the State from the Federal Government are not trickled down to the towns. The ability for the town to apply for and receive grant funds can greatly help to subsidize their budget and/or provide additional necessary funding.
- Fixed salaries for the Chief and Captain result in a savings as no overtime costs are accrued for either positions and both are available for calls 24/7. While he estimates that a reasonable Chief's salary in the area of Fairfield County is approximately \$115,000.00 plus benefits, he estimates a reasonable salary for this area may be approximately \$100,000.00 plus benefits. In contrast, an RST costs considerably more and his/her salary is not salary-based.

- Networking of Chiefs, who are willing and able to work together, support each other, and share their resources, is an invaluable tool and results in a cost savings. There are approximately 100 Chiefs in the State who are all very supportive of each other.

One of his first tasks as Chief included the drafting of a Policies & Procedures or Rules & Regulations manual for the Police Department. Last year, the Department became one of 20 departments that is State accredited. There are two different accreditations: State and National or CALEA (Commission on Accreditation for Law Enforcement Agencies, Inc.), the latter of which is quite expensive. State accreditation has three different tiers: Tier One is primarily operational and Tiers Two and Three pertain to larger police departments. Redding has been accredited for Tier One, which states that their policies & procedures, practices, and operations are up to issue standards. Insurance companies claim to take the accreditation into account.

When he took over, the Department was made up of three Corporals; no Executive Officer; Part-time Records Clerk; Dispatchers, who worked under the Communications Department Head; Animal Control Officer, who worked under the Highway Department, and; Police Officers with very little supervision. The current Department is made up of:

Captain, who acts as the Executive Officer

5 Sergeants

17 sworn officers, including a full-time Animal Control Officer and  
School Resource Officer

Full-time Communications Supervisor/Records Manager

Full-time Dispatchers (under the PD)

The town of Redding is comprised of a population of 9,200, is 36 square miles, two State Parks, a large senior population, and an elementary, middle, and regional high school. Minimum staffing, per union contract, is two officers per shift. With respect to the FBI's rule of thumb of 2.5 officers per population of 1,000 residents, he stated that such numbers should be dependent upon the location, environment, number and types of calls received, and the like. Based upon Redding's neighboring towns, he determined the average to be 1.9 – 2.0 officers per 1,000 and utilizes that number as his benchmark. He felt that the decision to organize an independent police department and determining adequate staffing are two separate issues/discussions. If the department does not currently have adequate staffing, the department will not have adequate staffing should they go independent. He believed that a police department the size of Montville probably does not belong under the management of the RST Program.

He, generally, has three to four officers on duty, usually including the sergeant, covering the day-shift, three to four on the evening-shift, and two on the midnight-shift. While ideally, he would like to have 20 officers, he would be comfortable with 18, which would allow for

three officers on duty in most cases. They are currently discussing training one of the officers assigned at the Elementary School for a Detective position to provide the proper expertise and a more stable investigatory body. Because there is no detective on staff, all investigations are conducted by the officers, which they appear to enjoy.

By educating the current Board of Selectmen, which originally wanted to cut the Department's budget, and increasing their awareness of the tasks, duties, and needs of the Department, it was decided to not only maintain the number of officers on the force, but to make efforts to increase their manpower. They, too, realized the overtime implications. The hiring of new officers was catapulted following the shooting at Sandy Hook Elementary School and the Board of Selectmen voted to increase their staffing by two, including a School Resource Officer.

For administrative staffing, the department has a Captain, who is the Executive Officer, a civilian Communications Supervisor/Records Manager, and Dispatchers, who will also handle records. FOI requests are initially handled by the Communications Supervisor/Records Manager and handed off to the Captain and himself. All three individuals have been trained to handle FOI requests. He has no secretary.

Detainees are monitored by camera by the dispatcher on duty. The station houses three cells and each prisoner is required to remove all of his/her clothing (underpants excepted) and wear a paper jumpsuit. An officer is required to check on the prisoner every hour, while the Captain checks on him/her every four hours. In addition, each officer has been trained to provide a suicide threat assessment. Should the prisoner fail the assessment, the Sergeant will evaluate the situation and decide on the action to take. Should the prisoner be female, one of the three female officers on staff will be tasked with monitoring the prisoner via an audio/video camera. Should there be a medical emergency with one of the prisoners, the dispatcher will call someone in to handle the situation, much as one would do should a similar incident occur in one's home, but response time would be faster due to their location. Should there be an emergency, e.g., fire, the dispatcher has the ability to remotely release the prisoner, who, with no shoes or clothing will not be able to roam very far. Should the prisoner be a homicide suspect or deemed dangerous, an officer will remain in the building. There are no existing guidelines in the State of CT for the monitoring of prisoners. For the formation of this particular policy, he sent a copy of the policy to a reputable inspector for review. Lt. Bunnell stated that at the Barracks, because they moved dispatching, an officer monitors the prisoner(s).

The Dispatchers are trained to answer and respond to fire, police and EMS calls and, because the majority of calls are police-related, they fall under his charge. As such, he meets regularly with the Fire Chiefs, hospitals, and the like, and maintains a good

relationship with all of the partners. He felt that, in his experience, having the Dispatch Center under the Police Department seems to work best and is more cost-effective.

Chief Fuchs reports to the First Selectman. There is no Police Commission in the Town of Redding. Based on a performance study conducted by the Police Executive Research Forum (PERF) and other reasons, it was decided not to have Commission. He felt that, while Commissions seek to do what is best for the town, a good Commission, through which one must go to communicate with the Chief, could insulate the Chief, who, like himself, may not have a contract and is, therefore, protected by State Statute, while a bad Commission could result in a stagnant department. Either way, the existence of a Police Commission results in less accountability. For example, both the Police Commissions in Weston and East Hampton opted to fire their Chief with no just cause, causing the towns hundreds of thousands of dollars in lawsuits. Statutorily, the Commission overrides the First Selectman and is an additional layer of government, which they found unnecessary. He added that there are many different structures and options that should be investigated and the decision to form a Commission should not be made until the decision to organize an independent police department is finalized and the dynamics of the department have been experienced and determined. He added that there are more towns that do not have a Police Commission and the Mayor or First Selectman chairs many of those that do.

Chief Fuchs felt that the change from a 5/3, which is the State Police Schedule, to 4/2 schedule is essential to cutting overtime costs. They have worked 5/3, 5/2, and 4/2 schedules and found the 4/2 schedule to be the most balanced option. While the rank and file may be averse to the schedule change, he felt that most would be interested in working for an organized police department. Lt. Bunnell stated that the change to a 5/3 work schedule was made during the 1970s so that officers can work with the same person and allow for the overlapping of shifts. He verified that one of the reasons the officers are opposed to the formation of an independent police department is the fear of transferring over to the 4/2 schedule.

This year's overtime budget in Redding is approximately \$125,000.00 to \$130,000.00 and has remained relatively flat since he took over 12-1/2 years ago. The total budget of the Department is \$1.7 million and includes dispatching and vehicle repairs. Gas for police vehicles is under the Public Works budget and benefits is under the Finance budget. He added that it is difficult to compare budgets between various towns, even comparable towns, due to the various structures of each town's budget. It is, similarly, difficult to compare calls for service or call volume as each town records their calls differently and/or under different headings. While he was open to sending reports regarding the calls and budget to Lt. Bunnell, he cautioned against making such comparisons due to the number of existing variables. He felt that, ultimately, such comparisons would be a disservice.

In Redding, on average, there is one car per every two officers, plus a couple of spare vehicles. Side or contract jobs are charged \$26.00/hour, plus officer and administration costs. Income received from these jobs are placed into a fund specifically created for the purchasing of new vehicles. Should there be an instance when they are unable to afford a much-needed vehicle, the Department can request an emergency appropriation. Luckily, they have had an adequate fleet of vehicles and the income generated has been sufficient enough where they have not needed to make that request. In addition, both the Captain and himself drive police cars that can be handed down. In contrast, such revenue received in Montville is placed into the General Fund.

One of the most important equipment the Department owns is the radio system. In towns, such as Montville, it is necessary to carry two different radio systems, one that allows them to communicate with the State Police and another which allows them to communicate with their internal agencies, i.e., Fire, EMS, and Public Works. It is not possible for the State and the Town to utilize the same system as they are on different frequencies. Montville currently owns 18 mobile and 24 portable units and will be required to purchase new units at an estimated cost of \$160,000.00 within the next two years to be compatible with the State Police System.

There were no additional costs for the town when the department became independent, rather there was a savings. Officers were eventually hired and the consolidation of the Communications Supervisor and the Records Manager resulted in a cost savings. Construction (accomplished in three stages) for the expansion of the existing building to accommodate a prisoner detention area, lockers, communications, etc. was later completed by way of a grant and was an expansion that was necessary, either way.

For an impound lot, they utilize a three-bay garage at the station as well as a secure hangar located at Danbury airport and, for routine vehicle impounds, a secured impound lot at a tow facility. The placement of a vehicle is determined on a case-by-case basis. A brief history of the exclusion of the impound lot at Montville's current newly-built facility was provided.

With respect to the process of transferring over from the RST Program to an independent police force, Chief Fuchs stated that the first and foremost action that must be taken is the changing of their current ordinance. Lt. Bunnell stated that the Charter was changed to allow for the change. Secondly, the hiring process of a Police Chief should take place, adding that there are several firms, including the CT Police Chiefs Association, who will help the town with their selection process. Once the Chief is hired, the organizational structure, which should be similar to other existing structures, can be formed. Generally, there is a Chief of Police and a Chief Executive Officer, e.g., Captain. Oftentimes, there is a Deputy Chief as well as an Inspector, four to five Sergeants for supervision, and the Patrol

Officers. Generally, there are two individuals who are not in the Union, usually the Chief and Captain. Each of the Sergeants in his Department is issued a cell phone so that they are available to answer any calls or provide guidance.

While he was unsure as to the number of years the town was under the RST Program, he believed that it was approximately 50 years. The change to become independent was initiated by the rank and file and, with the political will, the issue finally went to referendum and approved. Ridgefield, where he worked previous to Redding, was an independent PD, though, he believes, it was under the RST Program at one time. Should the support of the police force be lacking due to the possibility of a shift change from a 5/3 to 4/2 schedule, he stated that, in Redding, their schedule did not change immediately after the department went independent. In addition, the Collective Bargaining Unit will remain in place and such issues will be dealt with accordingly. Lt. Bunnell added that, in Montville, where the pay is lower than other areas in the State, their overtime pay works to supplement their income and, oddly enough, many who were opposed to Montville becoming an independent police department have left to work for an independent PD.

Chief Fuchs stated that he did battle with the Union and had to educate the Board of Selectmen regarding the workings of a police department for the first few years of operation as an independent PD. Nevertheless, they did not experience any operational issues, i.e., all of the police officers conducted their duties as required. One of the issues that should be discussed with the Union prior to going independent is the shift change. Under the RST Program, a new RST was assigned to the town nearly every other year and complaints regarding the officers were received on a daily basis. This is no longer the case.

He also maintains a positive relationship with the State, who continues to take over and/or aid with any homicides, major incidents, or serious cases. Large municipalities, such as Hartford, New Haven, Waterbury, and Bridgeport, will handle their own homicides while in smaller towns, the State will take over any homicides, per the State's Attorney office. He also maintains a positive relationship with the neighboring towns, who will come to each other's aid should it be necessary.

The Committee expressed their appreciation to Chief Fuchs for coming and speaking with them.

The Committee took a short recess at 8:38 p.m. and reconvened at 8:46 p.m.

5. Alterations to the Agenda
6. Approval of the Regular Meeting Minutes of December 2, 2014  
Motion made by Mr. Giffen, seconded by Mr. Bucko. Discussion: Mr. Buebendorf proposed the following changes:

Page 1, header: Meeting **Agenda Minutes** for Tuesday, December 2, 2014.

Page 4, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> sentence: He added that he spent a substantial amount of money **of on** the training of officers so that should one of the officers depart, there is another individual who can easily step in in his/her stead.

Motion made by Mr. Giffen, seconded by Mr. Buebendorf, to accept the minutes as amended. Voice vote, 6-0, all in favor. Motion passed

7. Remarks from the public relating to matters on the agenda with a three-minute limit — *none*
8. Unfinished Business
  - a. Review of previous independent Police Department studies and reports
    - 1) Presentation of Findings — *ongoing*
  - b. Status and scheduling of the following presentations:
    - 1) District Commander, CT State Police  
Sgt. Smith will touch base with the District Commander regarding his availability and inform the Committee, accordingly.

Chairman Pike stated that, following the presentation by the District Commander, they can discuss inviting the Finance Director for discussion regarding the budget. Thereafter, they will immediately begin creating and finalizing their presentation.

The process for requesting additional time to fulfill their charge will be investigated.

9. New Business

Mr. Bucko distributed a publication of guidelines and strategies of creating an independent police department distributed by the U.S. Department of Justice, of which Commissioner DePasquale spoke in one of their past meetings, and a copy of an article regarding Groton's search for a Police Chief, published on December 10, 2014 in *The Day* newspaper.

Lt. Bunnell distributed a spreadsheet categorizing and identifying where the overtime hours have been expended and provided a brief explanation of the categories:

Supplementing of Shifts involves adding officers to either replace a scheduled officer or supplementing a shift for an ongoing event/investigation. The majority of overtime hours is being allocated to the supplementing of shifts.

Minimum Patrol indicates when one or two of the required two officers per shift must be replaced, per their contractual requirements. Seven percent of the funds are consistently spent to fulfill this requirement.

Follow-up Investigations refer to the picking up additional hours due to an investigation(s) in process from a previous shift.

Continued Investigations refers to the requirement of an officer staying beyond his/her shift to complete an investigation(s).

Extra Duty Overtime, which is not part of the overtime budget, refers to jobs paid for by a third-party, e.g., utility companies, contractors, etc.

Administrative costs include conducting grant research, completing grant applications, paperwork, and tasks around the building. With adequate staffing, the bulk of those tasks can be completed during their regular shift.

Special Events includes providing coverage for parades, fingerprinting clinics for children, walkathons, and road races and are paid for by the Town.

Schools includes school events, e.g., football and basketball games, wrestling events, dances, and plays.

In response to Mr. Giffen, Lt. Bunnell clarified that, when Redding changed from a 5/3 to 4/2 schedule, the officers were (partially) compensated with a raise in their hourly rate to make up for the money they would have earned working overtime.

Lt. Bunnell introduced the Committee with the possibility of inviting Fire Marshal Ray Occhialini to one of their meetings to discuss the radio system and dispatching. He is well-versed in the State mandates, necessary upgrades, and costs. The State will be upgrading to a P-25 system, which is reserved for public safety/emergency services. The Lieutenant offered to liaise with Fire Marshal Occhialini regarding his availability. The Committee agreed to extend an invitation once the District Commander has been scheduled.

In a recent calculation of all of the bars and hotel rooms located in the Town of Montville, including the casino, Sgt. Smith stated that the numbers are similar to that of Stonington (approximately 1,700 hotel rooms and 26 or 27 bars). He will provide those numbers at the next meeting. Lt. Bunnell noted that the calculation coincides with the number of DUIs in the Montville, which are higher than that in Stonington.

10. Remarks from the Public with a three-minute limit — *none*

11. Remarks from the Committee Members

Mr. Lenda stressed the importance of noting the differences between the two towns and the need for the current police department to have the 23 police officers, as budgeted, working as soon as possible. He also provided a brief history of the 5/3 schedule, which he worked for many years, stating that the schedule was determined based upon studies that were conducted and adopted for health reasons. On the 5/3 schedule, Mr. Lenda worked nine or more hour shifts and that, while it may appear that officers are working less, in reality, for those who wished to work overtime hours, are working more by working during their day(s) off. Some, in fact, worked all three of their days off leading the State Police to require that officers to take at

least one day off. The work exists and officers are eager and willing to work those extra hours. Again, he reiterated the importance of interviewing the officers to gauge their reasoning(s) behind their opposition to the organization of an independent PD. He felt that the overall satisfaction, happiness, and safety of the officers are tantamount.

In response to Mr. Buebendorf who questioned who/what the driving force is behind the issue, Lt. Bunnell responded that, primarily, the Public Safety Commission is the primary driving force. The Commission's support of an independent PD was reinforced by the Public Safety Plan, i.e., Almont Study, which was completed as mandated by the Charter. For a number of years, the idea was supported, but that support has changed over the years.

Sgt. Smith, in speaking with a number of the members on the police force, stated that his perception of the consensus is that the department is currently understaffed and, as such, are not yet ready to go independent. Should they go independent with their current staffing, the safety of the officers would be in question. In addition, they may be faced with a new, unwanted schedule. These factors would, ultimately, lead to failure and disaster. Contrary to Chief Fuchs, the staffing and scheduling is not a "silo" issue to the officers. Lt. Bunnell agreed that the fear of being underfunded and understaffed is a recipe for disaster and failure. Should the issue go to referendum outlining a five-year plan that includes the additional staffing, he felt, the majority would be in favor of an independent police department. Sgt. Smith added that there might also be a comfort factor in having "big brother", i.e., the State Police, helping them out in times of need and, perhaps, envision themselves as being in the same position as Plainfield where they are clearly understaffed and struggling as the result. Lt. Bunnell made the distinction between being able to respond to calls vs. being able to respond to calls *and* properly investigate them.

Chairman Pike wished to confer with Town Council Chairman Joe Jaskiewicz regarding speaking with the officers for their input.

Discussion ensued regarding the need for overtime to decrease should staffing be increased. Lt. Bunnell stated that, with respect to their current labor agreement, their contract would need to be negotiated and the language revised stating the maximum number of officers who can be off at the same time. They are not in a position to refuse time off due to a lack of funds.

## 12. Adjournment

Meeting was adjourned at 9:23 p.m.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary