

APPROVED

POLICE COMMISSION MEETING

Minutes of the Meeting of Tuesday March 17, 2009

The Hooksett Police Commission held a public meeting on Tuesday March 17, 2009, at the Safety Center. Present were Chairperson David Gagnon, Commissioner Henry Roy, Commissioner Mary Anne Maksalla, Chief Stephen Agrafiotis, Captain Paul Cecilio, Maura Ouellette, JR Ouellette, Marc Miville, Lauren Sausser, and Town Councilor Paul Loiselle.

Chairperson Gagnon called the meeting to order at 5:30 p.m.

The Pledge of Allegiance was held.

Commissioner Roy motioned, seconded by Chairperson Gagnon and the motion carried unanimously by roll call vote to enter public session.

Public Session

1. Minutes of Last Meeting:

A. A motion was made by Commissioner Roy to accept the minutes for the 1 meeting held on February 17, 2009: public and non-public minutes, as well as the minutes for the non-public and confidential meeting held on March 4, 2009. Seconded by Chairperson Gagnon. Commissioner Maksella abstained, motion carried.

2. Monthly Reports:

A. Discussed the 2008-2009 Budget the Town was in week 34 and expended 65.38% of the year and the Police Department was 56.36% expended, which is 9.02% under.

3. Old Business

Emergency Management – Generator Request

- A. Chief Agrafiotis informed the Commission that a request was made to Emergency Management Director Dionne for a generator for the South Bow Road radio tower location. Director Dionne advised Chief Agrafiotis that there are no grants available at this time.

Communications /Verizon Tower:

- A. Chief Agrafiotis informed the Commission that the final install will be done by Ossipee Mountain Electronics on Friday March 20, 2009. Then we will be doing testing on the system.

Special Details

- A. Chairperson Gagnon inquired about the special details, and if our costs had gone up. Chief Agrafiotis advised that we were all set at this time.

At 5:32 PM, the Commission voted to enter a non-public session to discuss personnel issues. Chairperson Gagnon motioned, seconded by Commissioner Roy, the motion carried unanimously by roll call vote to enter non-public session in accordance with the provisions of NH RSA 91-A:3, II (c). Due to the late arrival of citizens the Commission voted to re-enter a public session, to allow the citizens to have public input.

At 5:34 the Commission re-entered a public session.

4. Public Input:

- A. Town Councilor Loiselle advised the Commission that the town administrator is moving forward with the phone vendor issue, and that she is working on it.
- B. Town Councilor Loiselle also advised the Commission that the Council said that the Commissioners that are appointed should not have to pay the \$35 fee for their background check and that they would be reimbursed by either the Town's budget or the Police budget.
- C. Mr. Miville brought up the topic of the Ambassador program, to which he felt that when the Attorney General recently came to town that a representative of the Police department should have been present. This comment was answered by Captain Cecilio who advised that the following members of the Police department were present at that meeting: Prosecutor Chabot, SRO Defina, Det. Sgt. Pinardi and himself. Also, the three officers present were in full uniform. Chief Agrafiotis advised that the Attorney General was aware that he would not be present at that meeting.

D. Mr. Miville requested that the Commission make a public statement admitting that they were not truthful in their statements in reference to the School Resource Officer programs. Mr. Miville claims that the Commission and the Police Department denied that the safe school reports existed. Commissioner Roy advised that they would take his comments under advisement, but that he had reviewed the reports and Mr. Miville was wrong.

Non-Public Session

At 5:49 PM, the Commission entered a non-public session to discuss personnel issues. Chairperson Gagnon motioned, seconded by Commissioner Roy, the motion carried unanimously by roll call vote to enter non-public session in accordance with the provisions of NH RSA 91-A:3, II (c).

The motion was made to come out of the non-public session at 6:34 PM.

A motion was made by Chairperson Gagnon to seal the minutes of the non-public session. The motion was seconded by Commissioner Roy and the motion was carried unanimously by roll call vote.

A motion was made to adjourn at 6:34 PM.

Drafted by: Administrative Assistant Sheri Brown

See attachment below added to minutes on 09/09/09

Attachment amended 11/10/09

Police Commission meeting minutes -- March 17, 2009 Public Input

Gagnon: We will need to discuss legal in non-public – squeeze it in somewhere.

4:44 minutes into meeting – Motion to go into non-public ; NO REQUEST FOR ANY PUBLIC INPUT FIRST.

Tape goes silent, but continues playing without microphone

7:56 minutes into taped meeting – taping resumes.

Gagnon – Anyone else for public input?

M Miville – At the last meeting, there was a consensus which I ...

Gagnon – First of all, is somebody taping this? Nobody's taping? Anonymously?

MM – No

Gagnon – Okay, just want to make sure, because somebody has been doing so, it's just nice to know when people are taping.

MM – I'm not taping.

Gagnon – Lauren always tells us when she does. The Press I would always be leery of anyway but...Ah hahaha.

MM – My comments are open to the public, are they not? I mean it's your prerogative...

Gagnon – Public's taping without somebody knowing and whispering behind you is a different story.

MM – I'm not taping but I'm not sure about Lauren – are you taping?

Lauren – No. MM – Okay.

MM – At the last meeting, there was a general consensus in the room, which I happen to agree, that there was a discussion about business ambassadors, on more improvement of community policing. After hearing that and the general consensus from of the public was that soon there afterwards there was a meeting of the Attorney General here in town at Cawley Middle School. And that perhaps it would have been appropriate that someone from law enforcement to have been there since basically their boss was there. That when the President of the United States shows up, the Governor shows up. when a Senator shows up, that someone from town as town representatives would be there to represent, so either a town councilor would be there or when the Attorney General was there, perhaps someone from law enforcement would also be there. Just an observation, I don't need a comment on it.

Gagnon – That's good, cuz I don't have a comment.

Chief – I'd like ...

MM – But moving forward, perhaps...

Chief – Well, you're wrong. So I'd like ...

Captain Celicio – To answer your question, (was not asking a question) I was there (MM – Okay) representing the Police Dept, as was Lt Dec. Pinardi was there, the SRO Officer Defina, the prosecuting attorney.

MM – then I stand corrected.

Gagnon – Since Officer Defina was there, I presume all of you were in a uniform.

Capt Celicio – all were in uniform.

Chief – to give you details for the record, the AG knew I was not going to be there.

MM – that's why I am asking.

MM – Secondly, there's also concern about the statement on the meeting that was held on Feb 20th, between the School Board and Police Commission and Chief or whoever was there. I don't know who was there at the time. But the statement that was presented out doesn't seem to fully reassure the public of whose accountability it was for these statements to be made which generated so much public concern as a result of the comments being made between the School Board and Police Commission and Police Chief and department. The general public was concerned whether there actually was reports or whether there should be a meeting or not to determine whether those reports actually existed or not. The School Board and the Chairman of the School Board stated that there were reports. The Police Commission stated they knew nothing about the reports, and that her integrity was placed in question as to whether she was wrong, whether she exaggerated, whether these incidents actually occurred, and so my concern is, and the public's concern so far of already witnessing this statement is that it does not address, barely addresses the issues that we all agreed upon. That the SRO should continue and that the program be enhanced perhaps. But it doesn't address in this statement whether these reports were indeed accurate, and whether to assure the citizens that these incidents were addressed and were in fact in files at the time these incidents occurred. That these discussions back and forth were basically... claims that were made against the School Board that they were not accurate, and that the Commission was not aware of these reports existing, where in fact they were. And that's my concern about the report was that one more further statement should be here as perhaps a "statement of contrition" that perhaps admitting that these reports did in fact exist to exonerate the Chairman and the School board. Thank you. (12:55 minutes into the meeting.)

Chief – Maura and I worked on a joint statement press release, which went out. I thought that was a pretty good press release. Um, as far as the reports – as Capt Cecilio said back in December, it wasn't that the reports didn't exist. It was that there was a difference of opinion of the content of the reports.

MM -- This public input does not need to be a back and forth. I was just stating the point.

Gagnon – Oh, this public input can be a back and forth – we didn't ask for your opinion. He's giving you his answer.

It can be a back and forth. 13:34

Gagnon – I'm gonna put this to rest once and for all. Paul, how much time have we spent on this SRO thing, and everything else that's gone on since January 1st -- all parties involved?

Capt Celicio – All involved parties: in our estimation, it's been well over 600 man hours. 600 man hours in the last 4 or 5 months, in regards to this SRO – including myself, the rest of the command staff, prosecuting attorney, secretaries getting reports together, getting the reports out ... it's been "taxing!" 14:10 minutes

MM -- Well, all for the interest of the public, I would assume. On November 19th...

Gagnon – I would assume, but we're still stretching it out to more man hours. People ... there's other work to do in this building. The SRO will go forward – not at the cost of 600 man hours!

MM – I'm not addressing the SRO. I'm addressing the fact of whether the reports existed or not based on the discussions here. I could read the minutes to the meetings of November and December if you would like to address that, if you like or not. My concern – the Chief said ***"Chairman Maura Ouellette about the incidents of drugs, guns and knives in the schools, he was unaware of."*** My concern is if these issues are going on, why doesn't the Police Department know about it? Another case was – ***"She may be exaggerating, I don't know, maybe she misunderstood what happened. If she has information that we don't have, give it to us, or go back and clarify your information as incorrect. This Commission is concerned because it calls into question the integrity of the staff members."***

These reports did in fact exist. And so as part seems to me, and part of the public who are going to see this thing, seems to me to be somewhat sugar-coated, and that there should be another statement clarifying to the public that these reports did in fact exist, and that the Police Department didn't admit it. Plain and simple. 15:38:24

Gagnon – Are you sure?

MM – Yes.

Gagnon To Roy : You read the reports. Do you have any comments? I didn't read them.

Roy -- They were covered when we had a joint meeting and in the press release. We admitted that they existed.

MM -- In this press release right here? (showing the release to Roy)

Roy -- I don't know... you'll have to ask Maura. Either that or she didn't publish it. I don't assume you ... you never published that joint press release, did you?

Maura Ouellette -- Lauren has it... it was sent out.

Gagnon -- Yeah, I believe it was sent out.

Roy -- I never saw it the way it was written.

MM -- I don't know where it says here that the Police erred in not admitting that the reports were not sent out, or that there were indeed incidents. The issue here during all of these discussions, and I have been at all these meetings, was that there were not such incidents other than the fact the Captain stood up right here and identified 3 or 4 incidents, and not 51 reports. That's what I am asking to be accountable for -- to be held accountable for the actions and statements.

16:49

Chief -- Nothing's changed on this. The reports we have is what is what he talked about, the copies of the captain were given to Mrs. Ouellette -- those are the reports that exist.

MM -- But in November, there was no admission of ANY incidents existed, again I have the quotes right here. I can read them again -- *"She may be exaggerating, I don't know, maybe she misunderstood what happened. If she has information that we don't have, give it to us, or go back and clarify your information as incorrect. This Commission is concerned because it calls into question the integrity of the staff members."*

And this statement here -- *"The allegations of drugs and weapons issues as CMS are Unfounded... UNFOUNDED! He and members of the Police Department have repeatedly claimed her information is incorrect. Ouellette stands by her original statements."*

That's what should be part of the statement -- a statement that your statements were in fact inaccurate -- not Mrs.

Ouellette's and not the School Board's. There should be a clarification as basically as part of the reassurance of the public that basically the school was right and the Police were wrong. I think think that should be part of the statement.

That's all I need to say. 18:02

Chief -- I've already met with the Attorney General's office on those reports, so if you got a problem, go talk to them, they've already read them.

MM -- I'm asking you, sir.

Chief -- The Captain talks about the reports of what was in the reports.

MM -- So way back in November and December, you were causing a stir with the reason Maura Ouellette was wrong, and questioned her integrity about it, when in fact she was correct.

I don't know Maura Ouellette very well, but I'm standing as you know me -- I stand by Process. I have nothing against you. I have nothing against the Commission here. But I do stand for process, and I don't believe that process was carried out here properly.

Gagnon -- in your opinion?

MM -- in my opinion, but I have sat here through all the meetings, and I was here when you talked about each individual meeting. So I was hoping as part of this meeting we're all hoping that this would be put to bed. And I hope certainly that it is all put to bed, alright, but yet with one more reassurance to the public that the School Board was correct, when they requested a Right to Know Law to submit all of those reports -- reports that you denied existed.

Roy -- In my opinion, they existed.

MM -- Oh, come on...

Chief -- We denied that content was accurate to the level that Maura had been led to believe by the SRO.

MM – But you know my M-O to be --- is I state minutes. I, I come back to you with words that came out of your mouth and I repeat them back to you, and ask you about them. That's what I do. I don't question you personally, I have nothing against you personally. But I do question the process and use your minutes to ask you about those for feedback. The minutes are, as you say – ***“The minutes are what's transparent here.”*** I have minutes highlighted, that's all I got to say.

Roy – In my opinion...

MM -- You can't backtrack ... the facts are the facts.

Roy – you just said that's all you have to say. In my opinion, you're wrong, okay? As stated, we'll take your comments under advisement.

Gagnon – Any other public input? Hearing none, make a motion to go into non-public, under RSA 91-A 3:iii
Total meeting lasted 20:54 minutes.

