

APPROVED

POLICE COMMISSION MEETING

Minutes of the Meeting of Tuesday October 20, 2009

The Hooksett Police Commission held a public meeting on Tuesday October 20, 2009, at the Safety Center. Present were Chairperson David Gagnon, Commissioner Henry Roy, Commissioner Joanne McHugh, Chief Stephen Agrafiotis and Town Councilor Paul Loiselle.

1. Call to Order:

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

2. Roll Call:

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

Public Session

3. Pledge of Allegiance:

The pledge of allegiance was held.

4. Public Input:

David Pearl 79 Main Street, Hooksett, NH

A. Mr. Pearl wanted to discuss Officer Defina's memo's reference the Sheriff's investigation that was done.

Chairperson Gagnon stated that they are done answering the Defina questions and comments.

Mr. Pearl asked for a vote of the board.

Commissioner Roy stated that they are no longer discussing Officer Defina.

Commissioner McHugh stated that they are carrying on and on. She asked if there is a question that can be submitted to the Chair, so a response can be made.

Public Input Continue:

Mr. Pearl asked how did the letter that was submitted to the Sheriffs Department describing an investigation about safe school reports. How was it conformed from what the Chairperson stated that night he was going to investigate that memo. Did the Chief alter the Chairperson's order?

Commissioner McHugh asked if the question was going to be submitted.

Mr. Pearl stated that was his verbal question.

Commissioner McHugh wanted him to submit the question in writing and they would make it a point to address it.

Mr. Pearl stated that it's on the tapes and videos and it has never been answered.

Chairperson Gagnon commented that he thought the Sheriff's report stated that no one was lying.

A discussion was held about the Sheriff's report, and how to release a copy of it.

Commissioner McHugh commented that the best thing to do is to take his question and research the information and get back to Mr. Pearl. She asked him to submit them in writing and they will get back to him.

Mr. Pearl stated that he would submit them in writing.

Maura Ouellette 3 Summer fare Street, Hooksett, NH

A. Ms. Ouellette discussed the attorney fees for the Department she stated that for the month of April the attorney fees came to at total of \$24,038.34.

B. Ms. Ouellette asked Chief Agrafiotis if there was a protocol in place for use of laptops in the cruisers and was the protocol the same for every member of the Department.

Chief Agrafiotis stated that there are protocols in place, and they will abide by the protocols.

C. Ms. Ouellette asked why the Department is considering hiring a police officer who had been fired from another agency for lying.

Chief Agrafiotis stated that that is a personnel issue and that will not be discussed.

Marc Miville 42 Main Street, Hooksett, NH

A. Mr. Miville asked what RSA status was used to decide the justification of the appointment of the ad hock replacement Police Commission, or any other rule or regulation of the Police Commission bylaws, that the Commission based action on the September 28, 2009 meeting.

Chairperson Gagnon stated that at a previous meeting the Hooksett Police Commission had appointed 3 substitutes to hear the grievance of Jason Defina. They took this action pursuant to the authority granted to this Commission by Chapter 412, Laws of 1975. As the Teamsters Union has brought a charge of Unfair Labor Practice concerning this action, they will not comment further on it at this time other than to indicate there firm belief that the action they took was lawful and appropriate.

Public Input Continue:

B. Mr. Miville asked if the Commission had reviewed any of his questions that he had submitted on August 18, 2009, and when he can expect an answer to the questions.

Chairperson Gagnon stated that they are working on the questions and it is on the agenda.

C. Mr. Miville wanted to discuss Chief Agrafiotis's review that would be done tonight, and asked the Commission to look at all his job performance deficiencies and do justice to the public.

He also wanted to request under the Right to Know of a copy of Chief Agrafiotis's review, and submitted a written request to Chairperson Gagnon.

D. Mr. Miville stated that he had posted a copy of the job review that the Commission performs on Chief Agrafiotis on the Hooksett Issues site, and submitted copies of citizen's review to Chairperson Gagnon for him to consider reviewing before his review is given in non-public tonight.

Margaret Defreest of Corriveau Drive, Hooksett, NH

A. Ms. Defreest stated that the neighborhood she lives in has had a rash of burglaries and they were looking for guidance from the Town to be pro active in protecting the community.

Chief Agrafiotis stated that there will be a discussion tonight about neighborhood watch groups.

Chief Agrafiotis informed Ms. Defreest to contact the detectives during the day to find out what is going on in the neighborhood, and they can give her some short term ideas to help her.

Brian Williams Corriveau Drive, Hooksett, NH

A. Mr. Williams stated that he has the same concerns that Ms. Defreest has and stated that when he was on the Budget Committee a warrant article was done when exit 10 was being built to fund 5 more police officers which were suppose to be for the west side. He asked what happened to that warrant article he was looking for an update.

Chief Agrafiotis stated in 2004 the warrant article was for 5 officers, the first warrant article was to fund for 6 months and the next year was going to be for the 12 months of the salary. Chief Agrafiotis stated that there may have been one year when it might have been funded, but between default budgets they never have gotten up to the funding of the 29 officers. He stated that in the current budget they are in now they had asked like in the past for 29 officers the Budget Committee cut that back by 2 officers.

Mr. Williams asked if there was part-time west side coverage. Chief Agrafiotis stated that at times there is an extra officer on.

Chief Agrafiotis stated that the warrant article was to staff 29 positions and to have the compliment of officers around the clock that would incorporate 24 hour west side patrol.

Mr. Williams asked when the Department goes before the Budget Committee this year he wanted to be contacted to attend the meeting.

Ginnie Towland of Corriveau Drive, Hooksett, NH

Public Input Continue:

A. Ms. Towland stated that she is a victim her house was broken into. She stated that it is disturbing that it keeps happening in the neighborhood and wants to see something done.

She would like to see an officer on the west side more as she thinks it would help.

JR Ouellette 3 Summer Fare Street, Hooksett, NH

A. Mr. Ouellette stated that over the last 6 years there has been almost four hundred thousand dollars of under expended line items. He asked why the money can't be used for patrol officers.

A discussion was held on the expenditure of line items.

Commissioner McHugh stated that if you have not appropriated for it properly you can not just spend with regards to items like this.

A discussion was held Mr. Ouellette stated that the funding has always been there.

Chief Agrafiotis stated that the Budget Committee took the funding out for 2 positions last year.

Mr. Ouellette stated that the funding for 2 positions was taken out because of the excess funds that the Police Department has had over the past 6 years.

Chief Agrafiotis stated that if they start the year off with funding for 27 positions and employee 29 that money has to come from somewhere else. It would not be wise to start spending and then halfway through the year to find out they don't have the money to cover the other line items for the rest of the year.

Mr. Ouellette stated that the majority of the funds are coming from the salaries. He thinks they should look at this funding.

Commissioner McHugh stated it is something to consider when doing the budget to look at what the funding is for, when making the presentation to the Budget Committee if they need an increase of officers. She also stated that if the appropriations are not made for the funding you can not spend it that is the rule.

Chairperson Gagnon stated this year they have decided to hire more people and not purchase a new vehicle. He stated that you can not have someone on staff without it being funded properly.

Mr. Ouellette stated that the department was averaging 26 officers on an annual basis he was going to go back and look at the numbers. He stated that the Department could have a dedicated car on the west side with what is appropriated in the budget.

Commissioner McHugh stated that they will explore and see what would be needed to have adequate coverage on the west side.

5. Minutes of Last Meetings

Chairperson Gagnon stated they were going to table the minutes for the last meetings until the November meeting.

It was decided to move to old business to address the issues that the citizens were there for, and

Minutes of Last Meetings Continued:

that the meeting would be a short so citizens would be able to attend the School Board Meeting.

6. Old Business:

Neighborhood Watch Groups

A. Chief Agrafiotis stated Captain Cecilio had been in contact with neighboring communities to see how they are handling these types of issues. Chief Agrafiotis stated in reviewing the information he thinks it would be more effective given the resources they have to get involved with the Manchester Crime Line than having a traditional neighborhood watch.

Captain Cecilio gave a brief overview of what it would take to get the Department to this level. He met with Manchester Crime Line and they are interested in going regional and the Department would have to have a voting member appointed to their board. There would be an initial start up fee, signs would be posted in areas of Hooksett, the same Crime Line phone number would be used, and they would maintain the funds and provide service. If they received a tip they would forward it to the Department's liaison officer. They are looking into expanding into Bedford and Goffstown also.

Captain Cecilio stated that the start up cost would be \$4,000. Chairperson Gagnon asked how money would be generated for this. Captain Cecilio stated they had asked the Department to do some type of fundraising once a year.

Chief Agrafiotis commented that money be taken out of the budget to get this moving.

A discussion was held on how to get business involved in making donations.

Commissioner McHugh stated that she would like to see both the Crime Line and neighborhood watch groups done to some degree.

Captain Cecilio stated the there are staffing issues.

Chairperson Gagnon asked if a community watch meeting could be held to educate the public. He stated to put something together and do it as soon as possible.

Chief Agrafiotis asked if he could get the Commission's approval to proceed with both. The concept of the crime line moving forward and the community watch meeting. He also stated the Department needed to have a person as a liaison. Chief Agrafiotis suggested a police commissioner for this position and some point that person could bring back what is happening in other places that may or may not be affecting our community. When he presents the budget to the Commission who then proceed with the budget it would be easier if someone on the Commission understood what was going on from neighboring communities.

Commissioner Roy asked about the fundraising that would be done once a year. Captain Cecilio stated that it depends on what is being spent. Their concerns are they are taking Hooksett on and they are going to be paying out funds that they raised.

Commissioner McHugh asked Chief Agrafiotis if the Commission had the right legally to expend \$4,000 for this. Chief Agrafiotis stated that they do have a community service line and that line

Neighborhood Watch Groups Continued:

would be over spent.

A discussion was held on how to make the motion.

Commissioner Roy motioned to move forward with investigating the crime line project and not to exceed \$4,000. Seconded by Commissioner McHugh, motion carried unanimously.

Commissioner McHugh motioned to move forward with the community awareness meetings. Seconded by Commissioner Roy, motion carried unanimously.

B. A discussion was held on how to set up a way to e-mail information to citizens of Hooksett on things happening in the neighborhoods.

Captain Cecilio stated they are open to suggestions and will look into this.

7. Monthly Reports:

A. Discussed the September 2009-2010 budget the Town was in week 13 of 52 and expended 25%, and the Police Department was 19.11% expended.

Commissioner McHugh stated that the letter the Chief sent to the Budget Committee was very helpful and she thinks that when the budget is being worked on they need to discuss the different lines. She also stated she would like to see a breakdown of funds that are being transferred from one line to another be put into a motion.

Chief Agrafiotis stated that the Department does not do line item transfers they watch the bottom line so you would see a line item would be over expended, but the bottom line would not be over expended.

B. Chief Agrafiotis stated they are working on the 2010- 2011 budget proposal. He was looking to get the first draft to the Commission by the beginning of next week. They need to set up dates for meetings for them to review and discuss the proposed budgets.

It was decided that Tuesday October 27, 2009 at 5:30 pm would be the first meeting to look at the draft of the budget.

Councilor Loiselle commented that at the last Council Meeting the consensus was to level fund the budget. He stated that the consensus was unanimous the reality of this is if the budget was kept the same as last years they would probably get a 5% increase in the tax rate, because the revenue side is dramatically down and they were just informed this week that the insurance cost is looking at a 20% increase in premiums.

Commissioner McHugh asked if this was exclusive of increases in wages if there are contract negotiations. She stated there was a lot of discussion last year where it was inclusive or exclusive.

Chief Agrafiotis stated that they are in negotiations now. He stated that in moving forward if they wanted to leave the non-union employees at 0% they can but under the new Evergreen Law they have to even without a CBA being in place to put the step increases through for the union employees.

Commissioner McHugh asked Councilor Loiselle if the Council could have a discussion and clarify

Monthly Reports Continued:

this.

C. Chief Agrafiotis stated that a letter was sent to the Budget Committee of a quick overview of last year's budget, and that Commissioner McHugh already commented on this.

8. New Business:

Items that Constitutes being put on the Agenda

A. A discussion was held and it was decided that when someone calls to be put on the agenda it needs to be asked what it constitutes. When a call is received the Chairperson would be contacted and decide if it would be put onto the agenda.

Policy Changes Public Input Time Limits

A. The Commission stated that they decided to change this to one public input.

Commissioner McHugh wanted this put onto the agenda as she was contacted by a citizen that sometimes things that are discussed at the meeting would require them to comment at the later part of the meeting so not having that second public input is problematic for them.

Commissioner McHugh asked if they wanted to explore what others are doing and come back and decide.

Chairperson Gagnon instructed Executive Assistant Swafford to get copies of agendas from other committees to see what they do for public input before the next meeting, and e-mail them to him.

Police Detail Fees

A. Chairperson Gagnon stated to table this until the November Commission meeting.

Non-Public Session

At 6:45 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 (a),(c).

The motion was made to come out of the non-public session at 7:00 PM.

1. Personnel Issues:

A motion was made by Commissioner McHugh to seal all parts of 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 7:00 PM.

Drafted by: Executive Assistant Francine Swafford