

APPROVED

POLICE COMMISSION MEETING

Minutes of the Meeting of Tuesday September 28, 2010

The Hooksett Police Commission held a public meeting on Tuesday September 28, 2010, at the Safety Center. Present were Chairperson Joanne McHugh, Commissioner Clark Karolian Chief Stephen Agrafiotis and Town Councilor Gorton.

Commissioner Henry Roy was excused.

1. Call to Order:

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

2. Proof of Posting:

Chairperson McHugh provided a copy of the meeting notice.

3. Pledge of Allegiance:

The pledge of allegiance was held.

Public Session

4. Minutes of Last Meetings:

Commissioner Karolian made a motion to table the minutes of

- a. June 15, 2010 public and non-public minutes
- b. July 20, 2010 public and non-public minutes
- c. July 29, 2010 public and non-public minutes
- d. August 17, 2010 public and non-public minutes
- e. August 27, 2010 public and non-public minutes
- f. September 7, 2010 public workshop minutes
- g. September 13, 2010 public and non-public minutes

Seconded by Chairperson McHugh. Commissioner Karolian I, Chairperson McHugh I. Motion carried.

5. Public Input (5 minutes)

Chairperson McHugh wanted to remind people before they begin if their questions have anything pertaining to the grievance hearing there will be no response.

She also stated Commissioner Roy had contacted her and stated he would not be here for the commission meeting and he had been recused and had submitted his statement for the hearings.

Marc Miville 42 Main Street, Hooksett, NH

He stated recently there was a report of a discrepancy in a budget filing of a legal bill in the total of \$5,000, that was entered into the police equipment line. How did this type of accounting errors happen and what is being done to prevent such errors. He would like to know the step by step process as to how a filing of a bill gets submitted and entered as accounts payable into the budget lines.

David Pearl, 79 Main Street, Hooksett, NH

He wanted to ask the Chief a question.

Chairperson McHugh asked if he was aware that there is nothing stating that he has to answer his questions, as they have been over this before.

He stated he read a document which was referring to an investigation of 2005 when the Chief was put on administrative leave. The document stated it took 3 requests for the Chief to surrender his gun and his badge. Is that true or false.

Chief Agrafiotis stated he was not answering the question.

6. Monthly Reports:

A. Chairperson McHugh asked why the commission needs to review the town's budget reports. Can't they dispense with that part and go to the police budget.

Chief Agrafiotis stated the past history the commission looks at what the town has listed for the police budget, and look at what the department has and compares the 2 reports. If they don't want the town's report they don't have to receive it, it comes in a packet same as the town council receives, and the police department's budget is part of that packet.

Chairperson McHugh stated it is listed as an item on the agenda, and then they go into the police budget report, it's not their preview of the town the preview is the police budget. She doesn't see any reason to have to review the town's part of it.

Chief Agrafiotis stated at the end of every budget year they calculate the department's budget on a weekly basis, there may be a meeting at the end of the budget year where the town's report is different from the department. He stated that the packet also contains the police detail reports and the impact fees.

Chairperson McHugh stated she did not want it listed on the agenda but wanted the packet.

B. Chairperson McHugh stated given what the expenditure has been from the last 2 months will there be sufficient funds to carry the department through with the overtime. Chief Agrafiotis stated yes, and said a memo was in their packets addressing this issue.

C. Chairperson McHugh inquired about the police equipment line was that the bill that was not posted correctly. Executive Assistant Swafford stated next month it would be applied to the correct account.

Commissioner Karolian asked how this came about. Executive Assistant Swafford stated when reviewing the expenditure reports it was discovered then.

D. Chairperson McHugh asked what the Chief had prepared in regards to revising or readjusting the numbers to other lines. Chief Agrafiotis stated the commission had a memo dated September 8, 2010 and he gave history of the lines, and the bottom line from the report he believes they are in good shape. He did highlight what the changes were from what the commission had submitted to the town council, and they have the numbers from the final process, and he highlighted areas that he would go to first if they need to. He looked at the spending that was being done and he believes everything is fine for now, and it would be watched on a monthly basis.

Chairperson McHugh stated her concern is overtime and they may fall short, and the staffing issue or the hiring process status if they were to hire new employees, where are the funds coming from. She wanted to have a better idea. Chief Agrafiotis stated they are fine for now but if they get into that situation he has identified the lines he would go to first to draw funds from. There are 2 months worth of history on the regular wages, they are still under the average for the year.

Chairperson McHugh stated she sat down with Executive Assistant Swafford to see how things are being handled to compare how it is being done as opposed to doing a monthly manifest. She brought an over expenditure reports the school uses which shows which lines are over expended you would have a better picture and understanding on how to proceed. A manifest gives you the ability to review each bill and reduce the incident of having something posted to the wrong account.

Commissioner Karolian asked if her recommendation was to start with a manifest. She stated do a monthly manifest and an over expenditure report.

Chairperson McHugh asked this be put on the agenda for next month.

E. Chairperson McHugh asked about the status of the hiring process.

Captain Daigle stated the oral interviews have been completed of both certified and non-certified. They have chosen 4 candidates to move forward, their background packets have been given to them.

Commissioner Karolian stated with all the testing they only came up with 4 candidates. Captain Daigle stated they came up with more than that but initially to move forward they gave out 4 packets the top choices. Captain Daigle stated 2 certified and 2 non-certified. Commissioner Karolian asked if they had other candidates that they can look at or are they just looking at 4 right now. Captain Daigle stated he was told they had 4 slots they were going to fill. Commissioner Karolian asked if they hired 4 what the compliment would be for patrol officers. Captain Daigle stated 12. Commissioner Karolian asked why they aren't looking to go to 15 right away. When they look at the overall picture they want 25 for the department, if they bring the compliment of patrol officers up to 15 that would leave them 10 in a supervisory capacity. Chief Agrafiotis stated they would bring on the 4 people that would bring them to 25 sworn and if they did not want to fill

the supervisory positions that would have more people in patrol but they would be weak on supervision on the road. They try to balance that. They are budgeted for 25 and they are trying to get 25 people on now and not worry about the promotion to get it to 25. Commissioner Karolian asked if they were to bring the compliment of patrol officers up to 15 wouldn't that leave a balance of 10 in a supervisory capacity. Chief Agrafiotis stated within the 25 there are only x number of patrol positions you can get out of that 25. The goal is to hire the 25 and look and decide whether from the patrol point of view do they have any issues with the lack of patrol supervision, and if they do they would be promoting within that number.

Commissioner Karolian asked how many supervisors do they have currently. Chief Agrafiotis stated they have 4 sergeants, 2 lieutenants, 2 captains and 1 chief. Captain Daigle stated they needed to add the 3 detectives also.

Chief Agrafiotis stated they have 9 officers currently and they add 4 more to the compliment would be 13 patrol officers. Commissioner Karolian stated that is assuming if they keep the rank structure the way it is. Chief stated that is correct.

Chairperson McHugh stated they need to look at the administration and see if they need to readjust that.

Commissioner Karolian said looking at the supervisor to the patrol officer ratio the span of patrol and supervisor is almost 1 to 1. Chief Agrafiotis stated they need to remember that a number of these people are in specialized positions. If you go down in any department and patrol officers he doesn't think you can start cutting back on supervisors. The goal of the department for years was to go to 29 and where they are today they would be asking to be in the low thirties.

Chairperson McHugh stated they need to look at the structure and overtime of everyone and maybe someone is better off being in a part-time or bringing on another fulltime position and not having to be paying it out in overtime wages. It applies to the whole department.

Commissioner Karolian stated they need to look at the possibility the department is top heavy. They need to look at getting more people out doing patrol.

Chairperson McHugh stated she recommends that the Chief with the help of the captains and the lieutenant to see if there is any way of looking at this. Look at what you have throughout the whole department and see if they are paying out a lot of overtime. See if they can increase the amount of patrol officers and to work on this.

Chief Agrafiotis stated they have been looking at this and doing this, and he doesn't see any changes that he would make at this point. He would bring the 4 officers on they are still going to be short on supervision but they can use officers in charge, and detectives to fill in patrol shifts and still leave them doing their primary detective jobs. They have discussed this numerous times and looked at that in relations to the schedule as they have requested.

Chairperson McHugh asked if he had looked at the whole department. Chief Agrafiotis stated he has looked at the whole department, and discussed the support staff and floaters. She asked if it was cheaper to pay a floater as compared to have someone working part-time or overtime.

Commissioner Karolian asked if they are able to bring on these 4 officers the numbers he has is 13 patrol officers, 9 supervisors and 3 detectives. If they don't put the detectives in the supervisory column but put them on patrol, that would bring it to 16 and 9 supervisors.

Lt. Cline stated he is working a patrol shift and he is doing the patrol Lt position also. Captain Cecilio is working patrol shifts, a Det. Sgt. working patrol shifts as a result of not having a sergeant. He has 2 sergeants working patrol now, the 3rd is the SRO and is in the schools.

Commissioner Karolian stated if they get the compliment up and hire the patrol officers assuming the supervisors would go back to supervisory duties and not fill those patrol shifts. They would have 9 supervisors and 16 officers.

Captain Cecilio stated the dispatch center overtime is also included in the overtime also.

Chief Agrafiotis stated there is more overtime there at times than there is in patrol they need to look at each time slip and see how much is being used.

Chairperson McHugh stated they are going to have the command staff work on this and put it on the agenda for next month.

Chief Agrafiotis asked if they would think about a workshop about the documents they are discussing they could show the commission what they are seeing and everyone would be on the same page.

7. Old Business

Police Detail Rates:

A. Chief Agrafiotis stated Commissioner Karolian had a question about how the town finance figures out the percentages for the details. He had asked finance the question and the answer was in the commission's packets. He asked if the question was answered.

Commissioner Karolian stated he was going to get with the finance department, it appears it answers the questions, but he still wanted some clarification.

Neighborhood Watch Signs & Decal Status:

A. Captain Cecilio stated the signs are in and they have 3 new groups that have shown interest and they are trying to set up a meeting, and get a press release out to see if there is any more interest. They are looking to hold a meeting on October 23, 2010 but it has not been confirmed yet.

Chairperson McHugh asked if the signs would be posted by the meeting. Captain Cecilio stated they would show the group the signs and ask were they wanted them placed in the neighborhoods.

9. New Business

CIP

A. Chief Agrafiotis gave the previous year's CIP to the commission. He was recommending the CIP request remain the same the only difference would be the dollar value. Duration of the project they were looking at the 10 years project, there were some years it was not funded to the level they wanted or not funded at all. They are behind on the schedule. Last year the commission voted to leave the schedule at 10 years and adjust the numbers which raised it. They did not expect them to fund it to that level but wanted to show them what the lack of prior year funding did to a program that was scheduled to go 10 years. He asked if the commission wanted to change the duration of

the project and extend the dollar figures out further or do they want to leave it at 10 years and put the dollar figures where they should be which would raise it higher.

Chairperson McHugh stated they should put in the higher number. Last year when they went before the CIP they asked them to do a study with regards to leasing what was the better option. They all came to the conclusion it was better for the ownership as opposed to the leasing. The CIP committee was in favor of what they were proposing, but the town council wanted to try to ensure the projects that needed to be done at the safety center would get down so they pulled back. She stated there is a reason for CIP so you don't spike the tax rates and it stays consistent over the years so when it is due they would be able to afford these things. She asked does the town believe in the CIP the CIP is part of the master plan.

Chief Agrafiotis stated he will submit the CIP for the new year with the 10 year project date, they will stay with the final dollar figure and adjust the numbers like last year and discuss it with the CIP committee.

Chief Agrafiotis stated the draft CIP schedule meeting would be on November 9, 2010.

B. Call for Service Study:

Commissioner Karolian stated he received a package from Captain Cecilio with dates from January 2009 to December 2009, not January 2010 to current.

Captain Cecilio stated in his memo why he used those parameters was to give them a full year instead of half a year.

Commissioner Karolian asked for clarification he stated there was less of an impact due to the manpower shortages. Captain Cecilio stated they had more officers on the road back then. Commissioner Karolian asked how that would impact the calls for service and stats if there were more officers back then. Captain Cecilio stated if you had more officers on the road you would have more m/v stops and activity your numbers would increase.

Commissioner Karolian asked him to run the stats from January 2010 to current. He stated if they could look at the burglaries and robberies, m/v stop, arrests, he doesn't want to hand pick. The reason for this is to help them decide what they are doing with the manpower. He asked Captain Cecilio to do this and get back to the commission with the information.

10. Next Agenda

- A. Manifest and Expenditures
- B. Staffing
- C. Overtime

11. Public Input (5 minutes)

Chairperson McHugh reminded everyone if there were questions in regards to the grievance hearing, they would not be addressing them.

Todd Lizotte, 21 Post Road Hooksett, NH

A. He asked if the police commission would consider 4 primary actions as asked at a prior commission meeting. Have the commission's attorney brief the command staff and administration

personnel on the legal obligations of maintaining the sanctity and protection of sensitive materials pending the legal case, nondisclosure agreements, secrecy agreements for the command staff, administrative staff in regards to make sure the records are not destroyed or removed. The commission consider a process to remove the chance of a perceived conflict of interest when records are being requested by attorneys for either parties, and such files cannot be gathered and released through the command of the Chief or a subordinate without a 3rd party observer.

He stated last night there was a discussion concept to ADHOC management method of commanding patrol. His concern is for data security and the potential of information was to be released in taking proper protocols. He stated these breaches could contain confidential information this becomes a serious issue, especially if you talk about information on employees. He stated after his discussion with them the paper stated litigation hold had been issued to ex employees.

Chairperson McHugh stated this had to do with the hearing and litigation and that is not going to be discussed. She did take note of what he did say.

Marc Miville,

He stated the Chief mentioned a 10 year plan for the CIP, he can create a 10 year plan but he wanted to make sure they knew the CIP committee looks at a 6 year plan. Chief Agrafiotis stated he did understand this.

Non-Public Session

At 6:28 PM, the Commission entered a non-public session by a motion made by Commissioner Karolian, seconded by Chairperson McHugh, 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).

1. NH RSA 91-A:3, II, (a),&(c).

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

Chairperson McHugh stated the police commission just came out of non-public session and she wanted to close that meeting.

Commissioner Karolian made a motion to seal the minutes of the non-public session, seconded by Chairperson McHugh. Commissioner Karolian I, Chairperson McHugh I. Motion carried.

Commissioner Karolian made a motion to adjourn. Seconded by Chairperson McHugh, Commissioner Karolian I, Chairperson McHugh I, motion carried.

Meeting adjourned at 7:25 PM.

Drafted by: Executive Assistant Francine Swafford