

Approved

POLICE COMMISSION MEETING

Minutes of the Meeting of Tuesday November 23, 2010

The Hooksett Police Commission held a public meeting on Tuesday November 23, 2010, at the Safety Center. Present were Chairperson Joanne McHugh, Commissioner Henry Roy, Commissioner Clark Karolian and Chief Stephen Agrafiotis.

Town Councilor Gorton was absent.

1. Call to Order:

Chairperson McHugh called the meeting to order at 2:30 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.

Non-Public Session

At 2:35 PM, the Commission entered a non-public session by a motion made by Commissioner Karolian, 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 (b).

1. NH RSA 91-A:3, II, (b).

The motion was made to come out of the non-public session at 3:09 PM.

A motion was made by Commissioner Karolian to seal 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. Chairperson McHugh Aye, Commissioner Roy, Commissioner Karolian Aye.

A motion was made by Commissioner Karolian to hire Brett Fernald and Katherine Fiore as full-time police officers for the Hooksett Police Department on the recommendation of Chief Agrafiotis, Seconded by Commissioner Roy and the motion was carried unanimously by roll call vote.

Public Session

Chairperson McHugh advised there was going to be only one public input tonight at the end of the meeting.

4. Monthly Reports:

A. Chairperson McHugh asked about the overtime on the budget report.

Chief Agrafiotis stated he has concerns about the overtime and approximately \$10,000 of that was paid to an individual. He stated approximately \$23,000 was spent on overtime for the month of October. His concern is the average overtime is approximately \$12,000 they are putting the extra officers on the road, and just hired 2 new people. They will be taking money out of the regular wage line and the level of overtime is not going to be sustainable in the long run. If you add up the percentage of the regular wages and the overtime divided by 2 you come out to 44.26%, in week 18 and the budget is at 33.62% the wages are a little over 44%. He asked the Commission to consider allowing the staff to go back and handle the schedule, and they would have 3 cars total per shift with the minimal manpower, and consider reversing the overtime decision from two meetings ago to give the staff the flexibility to move the detectives around and keep the staffing up and addressing the overtime cost. He is concerned that will not be a sustainable level as they go through the rest of the year.

Commissioner Karolian asked how much was not spent on wages from July 1, 2010 to current that was not spent due to the vacancies.

The Commission discussed the wage averages from July to October. Chief Agrafiotis stated they were still having issues with the officers not wanting to work the extra shifts.

Chairperson McHugh asked based on what the Chief was saying are they were going to have enough funds to make it to the end of the year.

Chief Agrafiotis said he can not say that for sure, and he wanted to bring this up and that it has to be watched closely.

Commissioner Roy stated the 2 new hires will not be ready for the road until spring.

Chief Agrafiotis stated they have one full-time officer graduating from the academy in December.

Chairperson McHugh asked if they were at 3 and 1.

Lt. Cline stated Thursday, Friday, and Saturdays.

Commissioner Karolian stated they are about 31% spent on the regular wages and 58% on the overtime wages for the budget. Commissioner Karolian stated they could still be able to move money from other lines if needed.

Commissioner Karolian stated they have spent \$8,500 in vehicle maintenance and they have 2 vehicles sitting doing nothing, and last month spent \$3,000 on 1 car.

Chairperson McHugh asked why the health insurance line was so high. Executive Assistant Swafford explained that October and November health insurance payments were made in the month of October.

Commissioner Karolian asked about the 2008 vehicle at Ossipee Mountain if it had a 3 year 36,000 mile warranty on it. He stated it has been sitting for 2 years and the service warranty has expired and they are spending \$8,500 on vehicle maintenance. He asked to get the warranty information to the Commission on this.

Commissioner Karolian stated he doesn't understand why a 2008 car has not been placed into service. Chief Agrafiotis stated it was explained to the Commission at a prior meeting the cars that they thought were going to burn out have not burned out as soon as expected, the Town has actually gained. Last year they didn't purchase any new vehicles, they have been lucky on maintenance. They didn't think it prudent to take an older car out of service that was still working good and put a new one in service.

The Commission held a discussion on vehicle maintenance and the warranty that was going to expire on the 2008 vehicle.

Commissioner Karolian asked if the past Commission had authorized to put the cars aside until they were needed. Chief Agrafiotis stated yes.

Commissioner Roy stated they are projecting out 18 months, and they don't know what is going to happen, and it has worked.

Commissioner Karolian stated he disagrees it doesn't work.

Chief Agrafiotis stated he would get the warranty information and have Lt. McDaniel come to the meeting, and get the information of what the maintenance was done on the vehicles for \$8,500.

Chairperson McHugh asked about the increase with telephone.

Commissioner Karolian asked about the meeting the Chief had with Verizon.

Chief stated he had met with them and they dropped a number of phones and the new rates will go into effect this budget year.

Chairperson McHugh asked about the community service line increase.

Chief Agrafiotis stated it was for the subscription.

Commissioner Karolian wanted the Chief to come back with the vehicle maintenance information, and asked if the Chief intended to keep the car off the road until a major breakdown with a vehicle happens then he would replace the vehicle.

Chief Agrafiotis stated yes, it depends on what happens with the current vehicles. He would have Lt. McDaniel come to the meeting to answer questions.

Commissioner Karolian asked if Lt. McDaniel was still doing this work. Chief Agrafiotis stated he was doing some of it while on midnight shifts.

5. Old Business:

2011-2012 Budget

A. Chairperson McHugh stated they had the 3rd draft and were unable to discuss it along with a supplemental wage sheet.

Chief Agrafiotis explained the 3rd draft and stated the Town Council asked for the current year budget minus 1%, which the 3rd draft reflects that request. He stated the supplemental was for part-time officers and it would put them above the Town Council's request.

Discussion was held on the wages and selection process for the supplemental sheet.

Commissioner Karolian inquired from the Chief why was he still doing a full time hiring process for part-time officers if it is not required by the PSTC, as he had indicated in the past.

Chief Agrafiotis stated it was his opinion is a part-time person should go through the same process as a full-time person.

Commissioner Karolian stated the Chief stated that PSTC told him they would have to go that route, and that is not what PSTC had told Commissioner Karolian. So the dollar amount needs to be updated to do the background. Why is the Chief still insisting they do a full process for a part-time person?

Chief Agrafiotis stated he is recommending that if it is a full-time or part-time officer they do the same process.

Commissioner Karolian stated PSTC does not require a part-time officer to go through that process. Other departments follow that requirement also.

Chief Agrafiotis stated it is up to the Commission if they want to put forward anything supplemental for part-timers how many and to what level.

Chief Agrafiotis stated the Commission should submit the third draft that is what The Town Council has asked for. They would be at the same level as this year with 25 sworn officers.

A discussion was held on the Administrative Lt. position. Commissioner Karolian stated he thought they discussed moving the Admin Lt to patrol and not filling his position. Chief Agrafiotis stated he would prefer him doing the administrative duties. Commissioner Karolian stated he doesn't understand why the numbers are being carried differently.

Chairperson McHugh asked about the administrative assistant position. Chief Agrafiotis stated that was in the first budget, and a dispatcher. He stated the 3rd draft didn't have the full time dispatcher, and the supplemental reflects a part-time dispatcher.

A discussion was held on the wages and it reflecting 13 patrol officers, and to get to the 15 they needed to hire part-time patrol officers.

Chairperson McHugh stated they couldn't bring on an extra dispatcher. She also stated she thought the Admin Lt position was going to change. Chief Agrafiotis stated you could remove the title admin but keep the Lt.

Chief Agrafiotis stated the supplemental wages can be lowered. The 3rd draft is what the Town Council has asked for this year minus 1%. The Commission needs to decide how much more money are they going to ask the Council to fund?

Commissioner Karolian stated they just reviewed the selection process and stated he could not recommend the budget knowing the selection process should be lower. Chief Agrafiotis stated that is why he is showing the Commission the numbers and the Commission needs to decide what level they are willing to go to. A discussion was held on the selection process and the wages.

Chief Agrafiotis asked Chairperson McHugh is she had heard any feedback from the Town Council on other departments coming in with a higher request.

She stated she spoke with the Town Council and they discussed the animal control position, they told her to put the funding in for that position. They had a discussion and the expectation was the department takes care of it, the Commission responded back saying the money was not there and Town Council told them to put it back into the budget. She stated the Town Council is maintaining their directive at the 1% less than last year's budget.

The Commission discussed the overall budget, vehicle maintenance and redefining the numbers.

Recessed at 4:07 pm, reconvened at 4:11pm.

Chairperson McHugh stated they are not going to get another opportunity to review the budget they need to submit it.

Commissioner Karolian asked Chief Agrafiotis if he was recommending the 3rd draft. Chief Agrafiotis stated yes. Commissioner Karolian asked if the Chief was recommending the supplemental wage sheet also. Chief Agrafiotis stated it is up to the Commission what they wanted.

Commissioner Karolian stated it was going to be the Chief's budget. Chief Agrafiotis stated it is the Commission's budget that is what goes to the Town. Chief Agrafiotis stated he puts it together at whatever level the Commission wants to go forward to the Town.

Chairperson McHugh clarified it is the Chief's budget that he is recommending for the Department then it becomes the Commissions' budget once it's adopted. Chief Agrafiotis stated the Commission takes his recommendation and they decide what they feel they want to submit and present to the Council.

Commissioner Karolian asked if there was anything preventing the Commission from having the Chief appear before the Council to present the budget? Chairperson McHugh stated no. Chief Agrafiotis stated that he does go with the Chair of the Commission and he is there to answer any questions the Council may have.

Chairperson McHugh stated the Commission wanted to increase the number of officers; do they want to include that or stay with the 25 officers and what the 3rd draft reflects?

Chief Agrafiotis stated if the Commission was going to stay with the bottom line number they need to decide what the bottom line will be. They can go back to the budget and move the funds around.

The Commission held a discussion on the 2008 and the 2010 cruisers that are not being utilized.

- *The process of how vehicles are put on the road,
- *how they are assigned to officers,
- *how often the vehicles are used,
- *maintenance for vehicles.

Chief Agrafiotis asked if the current Commission wants to see the fleet reduced they can change the past practice of the Commissioners before them. Commissioner Karolian commented he didn't have a problem with doing this if he thought the past practice of the Commissioners before him were incorrect. Just because it has been a past practice doesn't mean it has been the right practice.

Chairperson McHugh stated the budget needs to go before the Town Council, what does the Commission want to do?

Commissioner Karolian stated if that is the budget the Chief is recommending and he justifies it to the Commission that is what he needs, the Commission would have to follow his recommendation.

Chairperson McHugh stated she had some questions and wanted to change some of the numbers. Commissioner Karolian stated they needed to get with the Chief and get explanations on the lines. Chairperson McHugh stated this is the fourth or fifth time they have met on the budget. They have put a lot of effort into the budget.

Commissioner Roy stated they needed to decide if they were going with the bottom line budget which is what they wanted. Then the Commission can rearrange the numbers any way they want.

Chairperson McHugh stated the vehicle maintenance needs to be cut and reduced. If they put the 2 new vehicles in service, they won't need as much in the vehicle maintenance line.

Commissioner Karolian stated prior to cutting they need to know what's covered under vehicle maintenance.

Commissioner Karolian stated how can they sign off on the budget proposal if they don't know everything.

Chief Agrafiotis asked what other lines do they feel are too low? Chairperson McHugh stated Animal Control and the Legal Line are too low.

Commissioner Roy stated in order for the Chief to run the Department they need \$3,463,419. He stated to take out the vehicle maintenance and put it into legal there is only \$1.00.

Chairperson McHugh stated they are trying to adjust some of the line, how many more times are they going to meet to get this finished.

Commissioner Karolian stated he is not going to sign off on a budget with just the bottom line, they need to have answers.

Commissioner Roy stated he would go with the third request. Chairperson McHugh stated the lines don't represent a true amount.

Commissioner Karolian asked the Chief if this was best the Chief could do? Chief Agrafiotis stated they could move around some money from one line to another.

Commissioner Karolian stated they needed to wait on the vehicle maintenance to get justification to cut the line.

Chief Agrafiotis asked if they are going to hold another meeting, are there any other lines the Commission has questions on? He will bring the information to the meeting that they still have questions on.

Vehicles Maintenance
Telephone
Wage line

Chairperson McHugh stated the telephone, publications, legal line and community service.

Commissioner Karolian wants the Chief to come back with his best budget he can present.

Chief Agrafiotis stated these numbers are his best educated guess at this time; none of the lines could go any lower. The Commission looks at line they are going to have to find money in other lines and reduce or go higher than what the Council is recommending.

Commissioner Roy asked if the overtime line was realistic with the 2 new full-time officers that were hired. Chief Agrafiotis stated the 3rd draft has 25 full-time officers the overtime is tight but realistic if they run with the 2 officers and 1 supervisor per shift. If they go into next year running more than that he believes they will have a problem.

Chairperson McHugh asked with the 2 and 1 will there be a person on the west-side? Chief Agrafiotis stated that officer covers the north end and west-side and has been staying on the west-side now. The supervisor and the south car cover the north.

Wages were discussed on new hires which will be adjusted due to the 2 new hires. Discussed if they wanted to go with a new dispatcher or part-time officers.

Commissioner Karolian stated they will have people come in to explain the vehicle maintenance, answer their questions on the telephones, and work on the wages, and then come up with a meeting date.

6. Old Business

A. Exit Interviews

Chairperson McHugh stated the Town is willing to have the human resource person do the exit interviews with one of the Commissioners. This needs to be done as soon as possible.

Motion was made from Commissioner Karolian to utilize the offer from the Human Resource Department in Hooksett to conduct exit interviews with one Police Commissioner. Seconded by Commissioner Roy. Chairperson McHugh Aye, Commissioner Roy Aye, Commissioner Karolian Aye. Motion carried unanimously by roll call vote.

B. Commissioner Karolian asked Chief Agrafiotis why he told Councilor Gorton the Commission had an illegal meeting. Chief Agrafiotis stated that would be a non-public discussion. Commissioner Karolian stated under RSA 91-A he would be the one that his reputation could be affected and he can choose to go public which he is doing. The allegations were made about him and Chairperson McHugh. Chief Agrafiotis stated under RSA 275-E:2 he reported something in

Commissioner Roy stated under RSA 91-A there are other individuals involved that the Chief requested memos. Chief Agrafiotis stated he requested memos based on information he received.

Commissioner Karolian stated he is the Chief law enforcement officer for the Town of Hooksett isn't it encumbered upon him to investigate that? Chief Agrafiotis stated he is not going to investigate his bosses. Commissioner Karolian stated isn't it encumbered upon him to go to an outside agency to get it investigated. Chief Agrafiotis stated if you read the whistle blowers act he believes he handled it the way the law said it should be, and referred Commissioner Karolian to RSA 275-E.

Commissioner Karolian asked Commissioner Roy why did he tell Councilor Gorton they had an illegal meeting? Commissioner Roy stated he asked him. The day he called the station looking for Francine whoever answered the phone stated she was in Concord attending training and she asked me if I would like to speak to the 2 Commissioners that were working in the patrol room. He stated no thank you. He stated isn't a meeting of 2 people a quorum? Commissioner Karolian stated no.

Commissioner Karolian stated he wanted to make a motion that no packages are forwarded to any representative of the Town Council as they have been done in the past. The liaison to the Town Council is no different than the public when it comes to information they receive from the Commission. They should not get a packet ahead of time.

Commissioner Karolian made a motion not to provide packages to anybody specifically the Town Council representative liaison prior to coming to the meeting.

Chairperson McHugh stated she spoke with Councilor Loiselle and asked him and he stated it has been customary they receive the packets. She asked what was included in the packet was it information about the meeting? Chief Agrafiotis stated it was general information about the meetings. Chairperson McHugh stated at the Council meeting there was specific information about the illegal meeting. Commissioner Karolian stated the packet the Chief sent Councilor Gorton about information about the illegal meeting. Councilor Gorton stated he was sent information from the Chief to substantiate that. Chief Agrafiotis referred Commissioner Karolian to RSA 275-E.

Commissioner Karolian stated he has a motion on the floor. Chairperson McHugh stated she believes they would have problems with this the Chief is allowed to send him the packet of information for the meetings seeing he is the representative. She was questioning what else is in the packet that he should not be sending him. Commissioner Karolian stated he should not be allowed to send that information to him if it is not being sent out to anyone else it should all be available to the public. She is requesting if they can restrict that, they need to check into this. Chairperson McHugh stated they need to ask LGC. Commissioner Karolian stated he doesn't believe the Chief falls under the whistle blowers act. Chairperson McHugh stated they would follow this up.

Commissioner Roy left the meeting at 5:33 PM.

7. Public Input:

Jr. Ouellette, 3 Summer Fare St., Hooksett, NH

He inquired if the Department keeps track of the service repairs to the vehicles including the mileage. They would be able to keep track of the aging fleet.

Asked if the Department has a written policy on when the inventory is taken.

Chairperson McHugh asked Chief Agrafiotis if inventory has been done on a yearly basis? Chief stated they have worked on it in the past and Lt. McDaniel would have the history. Chief stated he will have to check on the written policy.

Mr. Ouellette referred to Policy A-201 Inventory to be kept, as a Budget Committee member he would like to see the inventory list.

He asked if they tried a mock-up of the schedule using 25 officers? He asked why they are increasing the compliment.

Chairperson McHugh stated they are increasing the compliment based on the comments from the public with regards to coverage on the west side, and a lot of that was based on discussions with the Chief they did not have sufficient numbers in the compliment to arrive at that.

He stated they were discussing the 8 part-time officers to get the 3 to 1 ratio and he was wondering if someone did a mock-up schedule that would indicate that they needed 8 additional part-time officers. Chairperson McHugh stated they had a discussion if they could not get full-time officer the suggestion came up they could address the need with part-time officers. There is a need in the Town for that coverage for citizen safety.

If they have a full compliment of 25 is the Chief stating they cant meet the ratio of 3 to 1 with a 25 compliment, it that why they need the part-time officers?

Chief Agrafiotis stated in 2004 the Town authorized positions to 29 which would bring it to 3 and 1, with 25 they can't do the 3 and 1.

Mr. Ouellette asked if a mock-up scheduled was done with a 25 man roster with a 3 and 1 ratio, what kind of makeup would the department have at that point.

A discussion was held on the 3 and 1 ratio. It was stated they needed 15 officers to get the 3 and 1.

Mr. Ouellette stated he disagreed with that information. He doesn't think the numbers he is hearing are accurate.

Commissioner Karolian stated they are going to look at that with the Chief. Chief stated in the 3rd draft it shows 13 police officers not counting the SRO. Mr. Ouellette stated he agreed with that.

Commissioner Karolian stated with a compliment of 25 they are still not going to be able to reach the goal of 3 and 1. Mr. Ouellette stated they can reach that but the makeup would be different.

Chairperson McHugh stated Mr. Ouellette is questioning the 15 police officers as opposed to 13. Mr. Ouellette stated 13 police officers are only needed they don't need extra bodies they are being compensated for overtime to cover for vacation and the other officers.

A discussion was held on the wages and shift coverage, and the makeup of the department.

Mr. Ouellette asked if the laptops have been connected? He was informed training was scheduled for the end of this month.

Mr. Ouellette stated he was going to discuss the salaries and what the true salaries are for the employees.

David Pearl 79 Main Street, Hooksett, NH

A. He stated he can not believe the lack of technology here. They should be able to have a budget program running and get the numbers. Mr. Lizotte has brought scheduling software ideas. They spend a lot of time going back and forth it would save a lot of time.

He stated the Chief is claiming the whistle blowers act. He stated at the Town Council meeting that it was not an illegal meeting it was checked with LGC. He is amazed the Chief is interpreting this to the level to go to the whistle blower act when in fact it is not a violation of the law.

Non-Public Session

At 6:04 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). Chairperson McHugh Aye, Commissioner Karolian Aye.

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

The motion was made to come out of the non-public session at 6:59 PM.

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

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

Meeting adjourned at 6:59 PM.

Drafted by: Executive Assistant Francine Swafford

November 30, 2010

Amended: Recording Clerk Dawn McDonald

Amended by Dawn McDonald, Recording Clerk: May 23, 2011