

Approved

Tuesday August 16, 2011

The Hooksett Police Commission held a public meeting on Tuesday August 16, 2011 at the Hooksett Safety Complex. In attendance were Chairperson Joanne McHugh, Commissioner Kenneth Scherer, Commissioner Clark Karolian, and Chief Stephen Agrafiotis.

Call to Order at 5:30PM

Proof of Posting.

Pledge of Allegiance.

Minutes of Last Meetings

May 9, 2011

Commissioner Karolian made a motion to continue to table the minutes of May 9, 2011. Commissioner Scherer seconded the motion. Motion carried unanimously.

May 16, 2011

Commissioner Karolian made a motion to continue to table the minutes of May 16, 2011. Commissioner Scherer seconded the motion. Motion carried unanimously.

June 21, 2011

Commissioner Karolian made a motion to take the minutes of June 21, 2011 off the table. Chairperson McHugh seconded the motion. Roll call vote: Chairperson McHugh – Aye, Commissioner Karolian – Aye, Commissioner Scherer – Abstained.

Commissioner Karolian made a motion to approve the minutes of June 21, 2011. Chairperson McHugh seconded the motion. Roll call vote: Chairperson McHugh – Aye, Commissioner Karolian – Aye, Commissioner Scherer – Abstained.

June 27, 2011

Commissioner Karolian made a motion to take the minutes of June 27, 2011 off the table. Commissioner Scherer seconded the motion. Motion carried unanimously.

Page 1, Public minutes – Chairperson McHugh
\$29,520

Page 2, Manifest – Chairperson McHugh
\$76,085.16

Page 2, Manifest – Chairperson McHugh
\$76,631.86

Page 2, Manifest – Chairperson McHugh
8:23 PM

Commissioner Karolian made a motion to approve the minutes of June 27, 2011 as amended. Chairperson McHugh seconded the motion. Roll call vote: Chairperson McHugh – Aye, Commissioner Karolian – Aye, Commissioner Scherer – Abstained.

July 19, 2011

Page 1, Chairperson McHugh

CHAIRMANSHIP VOTE FOR THE POLICE COMMISSION

Commissioner Karolian made a motion to appoint Commissioner McHugh to continue to remain as Chair of the Commission. Commissioner Scherer seconded the motion. Roll call vote: Commissioner Karolian – Aye, Commissioner Scherer – Aye, Chairperson McHugh – Abstained. Commissioner McHugh is appointed to the Chair of the Commission.

Page 1, Public Input – Chairperson McHugh
Michael **Sorel**, 54 Cross Road.

Page 2, Public Input – Chairperson McHugh
Mr. **Sorel** stated that he lives on the west side.

Page 2, New Hampshire Retirement Rates – Chairperson McHugh
Chief Agrafiotis **explained** the changes with the state house budget.

Page 3 – Chairperson McHugh
It was just brought to the council to see where to **take** the amount **from**.

Chairperson McHugh had a **request** for the town council.

Page 3, Web Site Update – Commissioner Scherer
The word **press** package is free and he is willing to do this free of charge.

Commissioner Scherer made a motion to authorize transfer of registry information for hosting of the Hooksett Police Department web site to Mr. Lizotte and he will work with Det. Sgt. Dupuis

to develop a new web site and to train him on the operation there of. **Password** authority to be transferred solely to the Hooksett Police Department upon completion of the web site and the personnel training.

Page 4, Storage Unit Contract – Chairperson McHugh
Chief Agrafiotis **stated** the Police Department has a **proposal** for \$1900.
The Police Commission will wait to be placed on the town council agenda.

Page 4 – Chairperson McHugh
8:30 PM The Chair recessed the meeting to do a walkthrough of the sally port and short term of storage space of the Police Department.

Page 6, Marc Miville comment – Chairperson McHugh
Mr. Miville submitted a Right to Know Request in October 2010. It has been 10 months with no response so he is submitting it again. The Right to Know Request was in regards to the date when the Commission released the non public minutes to the PELRB and Attorneys. He also inquired if and when the minutes were released. Mr. Miville also asked the Commission for an answer as soon as possible.

Chairperson McHugh **stated that** the Commission should not bear all the cost.

Commissioner Scherer made a motion to approve the minutes of July 19, 2011 as amended.
Commissioner Karolian seconded the motion. Motion carried unanimously.

August 4, 2011

Commissioner Scherer made a motion to approve the minutes of August 4, 2011. Commissioner Karolian seconded the motion. Motion carried unanimously.

Public Input

David Pearl, 79 Main St.

Mr. Pearl had a question for Chief Agrafiotis. He wanted to know if the Chief was the leader of the Hooksett Police Department. Chief Agrafiotis stated yes he was. Mr. Pearl also wanted to know if the Chief had a plan for the Hooksett Police Department. The Chief responded saying that the staff has been discussing issues in the staff meetings. Right now the Department is going through some personnel issues and at this point there is no plan that could be discussed with the public. So Mr. Pearl asked if there was a plan to share that information at some point. Chief Agrafiotis responded that he was going to speak to the Commission in non public and find out their feelings about what changes need to be made, and hopefully at some point that would be able to be made to the public.

Mary Farwell, 24 Grant Drive

Ms. Farwell had two issues she wanted to discuss with the Commission. First, she would like to see an Officer at Old Home Day. Ms. Farwell believes that someone from the department would represent good image. Chairperson McHugh stated that there was no decision made that there would be no one at Old Home Day and the only discussion they had with regards to someone being there was an agreeable time. Secondly, the Town Council has just adopted a practice to post public back up information into the minutes and wondered if the Commission could do the same. Commissioner Karolian asked what is back up information. It was explained by a member from the Town Council that it is public parts of information that would be discussed at the meeting. If the information is not available when the agenda is posted it is updated as the Commission gets the information.

JR Oulette 3 Summerfare St.

See attachment A.

Rick Bailey, Public Safety Strategies

Mr. Bailey explained to the Commission where PSS was in the audit process. He explained the last of the data has been transferred and the analysis of that is underway. They also have started interviewing past employees, and may go back to current employees to ask additional questions. So far PSS has held back on the surveys; however they should be posted on the internet next week. PSS also has reviewed the basic budget.

Commissioner McHugh asked Mr. Bailey when they would see a preliminary report. Mr. Bailey stated he could not put a date on it but would let the Commission know as soon as he could.

Commissioner Karolian made a motion to go into non public according to NH RSA 91-A: 3, II, (c). Commissioner Scherer seconded the motion. Motion carried unanimously.

Commissioner Scherer made a motion to come out of non public at 6:21PM. Commissioner Karolian seconded the motion. Motion carried unanimously.

Monthly Reports

Review unaudited June 2010-2011 budget.

Chief Agrafiotis gave a review of the 2010-2011 budget. At the end of the budget year 95.85% of the budget was expended. The Department returned \$145,314 to the town. With \$67,478 coming from the benefit line, with the remaining \$77,836 coming from different lines with some being over and some being under. This is the number that is current; however it is also without being audited.

Chairperson McHugh had one comment regarding the change of service. She wanted to know if that was in this current budget. This amount was supposed to be spent last year, however ended up being pushed into this year's budget. And as of right now the budget is going to be very tight. This is her only concern.

Police Budget Report July 2011-2012

Chief Agrafiotis gave a review of the budget for 2011-2012. So far they are four weeks or 7.69% into the budget. As of right now the Department has expended 6.72%. Francine, the executive assistant gave a summary of the budget for the Commission to see.

O.T. Review

Chief Agrafiotis explained the overtime wages has been under half. This goes a long with the major changes that was made to the schedule. With the changes in the schedule that cut down on the overtime. For example, if the department has three cars out and a supervisor, they do not need to call someone in if someone calls out sick. And during the day they don't need to call anyone in because there are detectives in.

School Resource Officer Position

A discussion was held on the SRO position. Commissioner Karolian stated that he would not authorize wages if a Sergeant or above is in the SRO position. It was stated by the Commission that the SRO should be a Patrol Officer. Chief Agrafiotis told the Commission that there was a personnel issue that he was going to address with them in non public.

Chairperson McHugh asked a question to the Chief, with regards to the SRO. She wanted to know if a Sergeant has always been in that position. Chief Agrafiotis replied no. The department needed to find someone for the SRO position and Sgt. Blanchette was the only one interested.

Chief Agrafiotis spoke in regards to a letter that he gave the Commission. He stated that they could move people around in two positions. The letter is the recommendation from the Department. However, during non public maybe the Commission and the Chief could come to a meeting of the minds.

Commissioner Karolian made a motion to accept the resignation of Lt. Troy Cline. Commissioner Scherer seconded the motion. Motion carried unanimously.

Old Business

New Hampshire Retirement System Update

Chief Agrafiotis discussed the changes in the NH Retirement System. At the prior meeting he let the Commission know about a new law that had taken place at the State level. This law was due to take effect on July 1st. At that time it was asked to the Town Council member to take it back to the Town Council and see if there was solution. At this time there has been no answers.

At the last Department meeting it was stated that the change would not take part starting on July 1st. Instead it was going to start in 2013. However, the number has gone down for the Police. As of right now the Police Retirement is short \$64,056. The Chief stated that it would be better to know sooner than later what the Town was going to do.

Chairperson McHugh stated that they do have availability to meet the expense until May. She re-asked the Town Council representative to bring this back to the Town and ask the Town Council what the solution is. Chief Agrafiotis stated that from the Department's point of view they were going to continue functioning for the worse case scenario.

Mr. Downer a Town Council member stated that he would get direction and bring it back.

Patrol Division Scheduling

Commissioner Karolian asked Lt. Troy Cline if he wanted the Commission to accept his resignation. Lt. Troy Cline stated yes.

A discussion was held on the patrol division scheduling. Captain Daigle stated as of right now there are no gaps in the schedule. So they have had no overtime issues. Usually when the schedule is done there is a lot of yellow which represent overtime. However, there is no overtime written in the schedule. Currently the Department is the middle of the current rotation which ends on September 18th.

Commissioner Karolian inquired if any other supervisors in the rotation got bumped when Sgt. Blanchette went back into the rotation. When school got out Sgt. Blanchette was placed in a 4-2 rotation on days. It was easier for the Department to do this due to the significant amount of time he accrued for vacation.

Lt. Cline stated that the two new students that the Commission had met are now out of the FTO program as of July 15th and are currently on their own. Chief Agrafiotis stated that now the Department has thirteen officers.

Commissioner Scherer had a question about the sectors. He wanted to know if the sectors were defined based on specific roads or incidents of crimes or other issues. Captain Daigle told him it was geographically broken down. However, he knows where the sectors are. Chief Agrafiotis explained that the AOM explains every sector and boundaries in that sector.

Commissioner Karolian stated that something like this should be made to the general public. Captain Daigle agreed with him. He stated that he would like to see it on the website eventually. However, Commissioner Karolian commented that by seeing four sectors, which could confuse the public. The public could see the four sectors and think that there are four cars, when in reality there are only three. Also the data is starting to show there is a definite need for a west side car.

Chairperson McHugh stated this something that needs to be addressed when they come to the new budget year.

Chief Agrafiotis asked the Commission if they would like to see the different sectors 1, 2, &3 broken down. The Commission stated that they would like that for the next couple of months.

Gasoline line item

Chief Agrafiotis stated the Commission had a question in regards to the gas line for the budget. The numbers were confusing last month so he had Francine get that information from finance. Then the Chief highlighted that information for the Commission to see. However, regardless of how the Town posted it, the amount for the cruisers is \$59,946. The Chief received two bills and not sure why, one was for \$89.87 and the other in the amount of \$5,029.13. However, the gasoline budget was over expended by \$6,500. The Town has been locked into the fuel cost with the State; however the Department is not sure if this will continue. So Chief Agrafiotis asked Mr. Downer, the Town Council Representative to take back to the Town and find out if they are going to be locked into with the State. The Department is looking for a commitment, so they know in advance. Chairperson McHugh asked the Chief if there was any numbers as of yet. Chief Agrafiotis stated no, and that he had just asked the Town Council member to see if he could get that information.

AOM Questions

A discussion was held on the AOM manual. Chief Agrafiotis stated that when he was hired in November 1999, the town had gone through accreditation and the structure of the AOM met the accreditation at the time. Commissioner Karolian asked why they were getting emails regarding the AOM. The Chief explained that is just a FYI, it is not being done for the Commission's approval.

Chief Agrafiotis stated that the Department tries to stick as close to the AOM as they can. However, Commissioner Karolian commented that the Department would have to keep following certain steps to keep accreditation.

Lt. McDaniel's explained that the Department gets some information from other Department's but they do not always follow those. This is due to some of the agencies being bigger than Hooksett Police Department; so some of the information had to be taken out. Chief Agrafiotis stated that other Department's are doing the same thing with their Department's.

Lt. McDaniel's stated that they took out twenty different policies and put them together. Chairperson McHugh commented that just because there is a policy out there, then the Department should not just adopt the policy and that is why it needs to go to LGC.

The original AOM was in 1999, then it was adopted in 2000, and in 2001 it was updated. In 2001 when it was updated it was just the language that was changed. Chief Agrafiotis stated that you can go back and see the history on the change page. Commissioner Scherer commented that there needs to be more detail added to the change page.

Commissioner Scherer asked how many AOM manuals there was out there. Lt. McDaniel's stated that there were about 40 manuals.

Chairperson McHugh stated that she would contact LGC in regards to the signing of the AOM manual. Commissioner Scherer asked her to also ask them the definition of developing an agenda.

Tire Issue

Chief Agrafiotis spoke in regards to the letter the Commission had wrote to him requesting information for the tire issue with a deadline date. At that time Lt. McDaniel's was working on that information so the Chief let him continue to do so.

Chairperson McHugh went through the report in regards to the tire inventory. In that report it gave the time and shelf life for the tires. However, the concern was when the Commission went to see the tires, there was a question if the tires had tire rot.

Lt. McDaniel's took the time to organize the tires. He stated that the older tires are out in front and the newest tires are in the back. It was never his intent to have as many tires that they do have in stock. However, he knew that they were still in the time frame to use them. Tire manufactures state tires are good for ten years; however some companies will not use tires after six years. Congress at this time is trying to come up with a date to go on tires to state when they are no longer good.

Right now the snow tires the Department has are still good and the Department has enough to put on all police cruisers with four tires remaining. Commissioner Karolian stated that it is good practice to take off the snow tires in April and put the winter ones on in November.

In storage there are fifteen tires that will be trashed freeing up some space. These tires came off used cars and did not match what the Department uses for tires.

Other Business

CIP

Chief Agrafiotis gave an update on the CIP. This shows a time line to different issues that relate to the Commission. He made a packet of what was in last years CIP and he asked the Commission to start thinking about what they wanted to do with the CIP packet. Chief Agrafiotis, Chairperson McHugh, and the Chair of the Town Council had a meeting to discuss what direction the Council wanted to go.

Chairperson McHugh stated that if they were going to have the CIP, then they needed to do a master plan update if they had a different approach. Chief Agrafiotis commented that given the timeline he was wondering what the Commission proposal to the CIP would be. He would recommend trying to get money for the radio. Chairperson McHugh stated that while they were waiting for the completion of the audit they should go ahead with some of it, but also hold off on some of it to.

Chairperson McHugh stated at the last non public commission meeting there was a motion that needed to be made public. The commission has decided that they are not going to be entertaining any pay wages or increases at this time. They are going to remain frozen.

New Business
Manifest

A discussion was held on retired identification cards for officers. Chief Agrafiotis explained that a law has passed that if you are a retired officer and you carry the retired identification card you are permitted to carrying a gun with you in different states. Commissioner Karolian would be in favor of the identification if the officer was highly dedicated and retired in good standings. Make it clear that they are retired so it is not flashed around for different purposes.

The Commission has canceled the Poland springs water and the BJ's card the department currently has.

August 4, 2011 Manifest

Commissioner Karolian made a motion to accept the August 4, 2011 manifest in the amount of \$8,256.40. Chairperson McHugh seconded the motion. Motion carried unanimously.

July 29, 2011 Manifest

Commissioner Scherer made a motion to approve the manifest for July 29, 2011 in the amount of \$29,067.47. Chairperson McHugh seconded the motion. Motion carried unanimously.

August 11, 2011 Payroll Manifest

Commissioner Scherer made a motion to approve the payroll manifest for August 11, 2011 for regular wages in the amount of \$107,718.65, overtime wages in the amount of \$7,632.72, for a grand total of \$115,351.37. Chairperson McHugh seconded the motion. Motion carried unanimously.

Commissioner Scherer made a motion to approve the August 11, 2011 manifest in the amount of \$4,201.98. Chairperson McHugh seconded the motion. Motion carried unanimously.

Public Input

David Pearl, 79 Main St.

Mr. Pearl stated that there is a lack of leadership at the Hooksett Police Department and he hopes that can stop. Mr. Pearl would like to see Officer Defina reinstated to the SRO position and he would not like to see another Officer have to get trained to do the SRO position. A request was put to the Commission that they research the AOM. He believes the Commission's job is oversight. However, even though the Chief brings the AOM up he would like the Commission to double check it first. Also there is no other town that is under Chapter 412. Even though the AOM was accredited eleven years ago, the AOM was not followed. The second part of the AOM is if you going to have it then you need to follow it. There were steps that were taken to

follow it but the citizen's rights were never followed. He encouraged the Commission and also agreed with Mr. Ouellette that the Commission should place the Chief on leave.

JR Ouellette, 3 Summerfare St.

Mr. Ouellette submitted a bunch of complaints and he has not heard from the Commission regarding any of them. He told the Commission that he would re-submit those request to them. Those complaints were as follows: Officer Defina wrongful termination, illegal retainer, laundry comment made to Council Bouton, untruthfulness against the canine, and the pay raises. Also Mr. Ouellette did a little more research, and found that Commissioner Gagnon stated that the raises were determined over four meetings. After he looked at the video tape there looks like there are more information out there. Commissioner Karolian stated that the information that they gave him is the information that they had. The Right to Know Request was from what was found in the videos and what they had said. It was requested that the Commission go back and see if they could find those minutes from the meetings to see if they actual did exist. Commissioner Karolian stated that he would go back to the minutes and see if there are minutes prior to January 4th; however if the information cannot be found then that information would not be released to Mr. Ouellette. Mr. Ouellette replied if in the event the meetings did not exist then he would ask for those raises to be removed. He was also wondering if the \$15 fee was going to be refunded.

Marc Miville, 42 Main St.

Mr. Miville asked the Commission if the decision to freeze the wages of the non union employees was for this fiscal year, or until further notice. The Commission advised Mr. Miville that it was until further notice. He also stated that he would love to see the defibrillator put into action and if the cost is more than \$50,000 then they could put it in the CIP. However, the Commission stated that it did not meet it. He also asked if the information about the tires and the sector statistics could be attached to the minutes. Mr. Miville also asked if the Lowry could get one of the AOM's, that way it could be placed in the library where the public goes.

Chairperson McHugh had a discussion with Chief Agrafiotis, and Town Councilor Bill Sirak. Some of the items that were discussed was old police cruisers to be used as trade ins, highway doing police cruiser maintenance, bundling some items that include the photocopier to get a lower price, appropriate to go to two meetings a month, and the Department Safety Center to establish a committee. This would include a Commissioner, an individual from the Department, and a citizen from the community.

Commissioner Scherer made a motion to go into non public meeting according to NH RSA 91-A: 3: (a) & (c) at 9:41PM. Commissioner Karolian seconded the motion. Motion carried unanimously.

Commissioner Scherer made a motion to come out of non public at 12:15AM. Commissioner Karolian seconded the motion. Motion carried unanimously.

Commissioner Scherer made a motion to seal the non public minutes. Commissioner Karolian seconded the motion. Motion carried unanimously.

Commissioner Karolian stated that it was decided a Sergeant would no longer be in the SRO position. But it would be in the best interest of all those that are involved that they would let them know before they let the public know.

Commissioner Scherer made a motion to adjourn the meeting at 12:18AM. Commissioner Karolian seconded the motion. Motion carried unanimously.

Meeting adjourned at 12:18AM.

Drafted by Recording Clerk, Dawn McDonald
Amended by Recording Clerk, Dawn McDonald