

**OFFICIAL**

**APPROVED**  
**on 3/8/12 - np**

**Public Meeting Amended Minutes**  
**Hooksett Police Commission**  
**Tuesday September 20, 2011**

The Hooksett Police Commission held a public meeting on Tuesday, September 20, 2011, at the Hooksett Safety Complex. Present were Chairperson Joanne McHugh, Commissioner Kenneth Scherer, Commissioner Clark Karolian, and Chief Stephen Agrafiotis.

Call to order at 6:15 p.m.  
Proof of Posting.  
Pledge of Allegiance.

Public Input

Tricia Korkosz, 15 Springer Road

Ms. Korkosz wanted to know when parents were going to be informed that Sgt. Blanchette may no longer be the SRO. She stated that she would like to see someone continue in the SRO position. With all the changes going on with the SRO position, she believes that this will make it harder for the kids to trust someone, because the kids had already formed a relationship with the former SRO's. She also stated that she would like to see Sgt. Blanchette get closure with the students, since he has been with them for the past two years.

David Pearl, 79 Main Street

Mr. Pearl wanted to know from the Chief, if it was true that the requirements for the SRO had been lowered. At first the Chief refused to answer the question. Mr. Pearl then responded that he has the right to know the answer to the question. He stated that he has been respectful; and that he had heard the requirements for the SRO has been lowered, and wanted to know if that was true, and if there was any reasoning behind it. Chief Agrafiotis responded that it was not true and that the standards for the SRO had not been lowered.

John Lyscars, 142 Hackett Hill Road

Mr. Lyscars stated that he supports Officer Jason Defina and would like to see his return to the SRO position. He also stated that Officer Defina was unjustly taken from that position; and to make his work and job whole again, he needs to be returned to the SRO position. As a high

school parent now, he wanted to let the Commission know that his children and other parent's kids had a good experience with Officer Defina in the schools.

Marc Miville, 41 Main Street

Mr. Miville was just following up on a statement the Commission had made at a prior meeting. The Commission had stated that there were some personnel moves being made. Mr. Miville asked the Commission if there were any updates on that.

Old Business:

National Drug Take Back Initiative

Chief Agrafiotis gave an update on the "National Drug Take Back" initiative. Chief Agrafiotis stated that Hooksett will be part of that, and it would be held on October 19<sup>th</sup>. Lt. McDaniel's will be there staffing it. Chairperson McHugh asked if the Department was going to be putting out a press release. Chief Agrafiotis stated that they normally do that, but he was going to check into it.

CIP

Chief Agrafiotis discussed the CIP. He stated that at the last meeting the Commission was waiting to see if anything came back from the management study. However, the CIP packets were due to be turned in this Friday. Chief Agrafiotis stated that he had Francine draft up a packet like they did last year, and wanted to ask the Commission their thoughts if they wanted it turned in or did they want to wait.

Chairperson McHugh asked if they went back to the company that services the radio communication system, and do they get anything back from them. What the life is on the system? She stated that would be very helpful, because when the information gets to the Town Council it is set aside, because eventually it is what the Department is going to need. The cost of the item is \$428,000, with \$175,514 currently. The projected date is 2012/2013. Chairperson McHugh asked the Chief to find out from Christine in the town finance dept. if it is going to be possible once the Commission gets the auditor's report if there is anything in there that can also be submitted. She also asked the Chief to go back to the company and get an update.

Chief Agrafiotis stated that he would contact Christine in regards to Chairperson McHugh's question. He will also contact the company for an update on the radio system.

Old Home Day

Chief Agrafiotis discussed what the plans were for Old Home Day, as talked about at the last meeting and plans for staffing the events. We will be staffing like we said we would. He talked about the road race with Kiwanis doing that; and they would not require any more resources. Chair still talking about 6 hour shift. Chief, 2 six hour shifts. During the day light hours: 1 officer

with crime van, 1 officer with neighborhood watch, will let different officers rotate throughout their shift for different duties.

SRO Update

Interim SRO. Has more information to discuss with the commission, but needs to be in non-public.

Comm. Karolian: We are in the middle of an audit, strengths and weakness. Have not received a final report from them. There will be no change to the SOP's and AOM's.

Comm. Scherer: I would like to add, good policy going forward, I would not like to create change for the department without some clear recommendations from the audit.

Captain Daigle: I think there needs to be some exceptions to that. The state has changed the law. That is one of the changes for the AOM's. I think the best way is to have some policy in there.

Comm. Karolian: When it comes to the law changes, there are some things that the department will need to follow. I agree with you when it comes to law, but I don't think we need to change the AOM's rules until the report comes through. I respectfully disagree with you when it comes to the AOM changes.

Comm. McHugh: I think you would have to do something to that. Whether or not we call it exception, I respect the fact that you brought that forward. I think all the departments will be faced with the changes.

Chief Agrafiotis: When something comes up immediately, we post it. The employees know what the latest is. What you see in the AOM's, if you are ok with that, so we can do that with the employees if it comes up. If you look at the AOM's, there are certain laws and requirements, Lt.McDaniels will go back to the AOM's.

Comm. Karolian: This AOM change is very specific. It has changed the requirements of the SRO.

Chief Agrafiotis: This did not change, and I apologize to Mr. Pearl, it is not the requirements or the abilities, but the years on the job.

Comm. Karolian: That lowers the requirement to having two years on the job to having after the probationary period. What is the purpose of that?

Chief Agrafiotis: We have hired more people, and this opens it up to more people who may want to do the job.

Commissioner Karolian made a motion not to change the rules and regulations of the AOM's, or SOP's until the audit report is final. Commissioner Scherer seconded the motion. Roll call. The motion carried unanimously.

Break was held at 6:53 p.m., and the public meeting was resumed at 6:59 p.m.

Commissioner Karolian requested as adults everyone needed to conduct themselves in an adult way. He asked everyone to please keep their comments to themselves.

Approval of minutes

Had some difficulty with the minutes from last meeting, because Francine has had some difficulty. Chief sent email. Sept 10<sup>th</sup> they covered many items in the book. Issues of minutes

the attorney said most people think you need to approve minutes, but you don't need to. It is not required. Agenda is not required either. It is a good idea. Captain Daigle learned this also about minutes. Asked question about the stats for that, those minutes are still the legal minutes, say you don't approve tonight's minutes, whatever the secretary takes are the legal minutes. You can call the Local Government Center (hereinafter "LGC") and find out.

Chair McHugh: According to Christine Fillmore from the LGC, they are recommended, they approve them, there may be mistakes in them.

Comm. Scherer: Should we be in that position if need to see the prior minutes. Their incompleteness.

Chair McHugh: The minutes will come back here and be approved.

Chief and commission are on same page with regards to the AOM's/SOP's change.

#### Minutes of Last Meeting

May 9, 2011 Hearing Minutes

Continue to table.

May 16, 2011 Hearing Minutes

Continue to table.

August 30, 2011

Commissioner Scherer made a motion to table the minutes of August 30, 2011. Motion seconded by Commissioner Karolian. Motion carried unanimously.

#### New Business

Market Basket Opening/Traffic Issues

Market Basket is opening tomorrow morning at 7 a.m. The manager has changed some of the ways they are going to do with regards to Londonderry. At this point we will monitor the situation. If they run into a problem then we will be there to assist. They felt with the timing of the month that it will be a smaller crowd due to the timing. They do not need a patrol detail. The fire department has been looking at it from the occupant. The police will look at it from the traffic detail.

Comm. Karolian: Has notice gone up to give them a heads up. Do you know how many would be available?

Chief Agrafiotis: Everyone is available if they are scheduled to be working. If someone does not want to do extra detail they do not have to.

Comm. Karolian: Do you know who the officers are that are on the list for that day?

Chief Agrafiotis: No, I don't.

Chair McHugh: You must have a detail of people over there to direct traffic, are we going to be pro active? Do you have some plan?

Chief Agrafiotis:: The midnight supervisor will monitor them. There will be someone over there unless there is a big accident.

Chairperson McHugh: There needs to be a plan in place.

Comm. Karolian: Why wasn't there a detail over there?

Chief Agrafiotis: Based on what Sgt. got back from manager, it was not necessary.

Chairperson McHugh: There needs to be a plan in place.

Comm. Karolian made a motion to accept the September 9, 2011, bill manifest in the amount of \$10,380. 55 Commissioner Scherer seconded. Motion Carried.

Chief budget report 13.50% expended. Chairperson McHugh: Why not back up again? Chief Agrafiotis: Due to vacations. Chairperson McHugh: Why is the dental insurance in July lower? Is that because some have left? Chief Agrafiotis: None of that comes through us, finance does that. Chairperson McHugh: In August why was that approved? Chief Agrafiotis: You approved, I don't remember what that was. Chairperson McHugh: Please find out from Christine, are we not covering our cost? Could you please find that out. Chief Agrafiotis: I thought that maybe you talked to her.

Chairperson McHugh: Is it submit your budget. McDaniels: I will find that out. The council recommendation is to require all departments to modify, be sensitive to the tax rate. Across the budget cut the finding was targeted tax led to higher bond, we are not going in and saying you need to cut your budget. Analysis will be undertaken. Chairperson McHugh: Could you send that. McDaniels: Would you like it. It was the motion printed out from our last meeting.

Action codes by sector

Chief, you asked Captain Daigle about expanding. If you look at last month, you have the break out, that was his understanding of that. Comm. Scherer: Weren't we going to get the areas that it detailed. Chairperson McHugh: I am looking at the number of incidents, and I think the report speaks for itself. When contemplating the budget, it is evident that we need more coverage on the west side and not include it on another sector. Chief Agrafiotis: It was not matched in on something on the prior. Comm. Karolian: I did look at it. Chairperson McHugh: When working on budget, Chief, that is something you should take into consideration.

Chairperson McHugh: With regard to overtime, a lot of it says that it is picked up by the jag grant. Some of the patrols it says the jag grant was used by all three. Would like you to walk me through how it was used in these cases. Chief Agrafiotis: Every week have looked at what shifts and what is the best times, that is what we do. Comm. Karolian: When officers are on light duty what do you do? Do you back log it with the jag. Chief Agrafiotis: With the budget the way it is, we try to do what we can. The last person on light duty, that person was assigned to light duty in the detectives.

September 9, 2011 Bills and Payroll

Commissioner Scherer made a motion to approve the September 9, 2011, payroll manifest for \$70,240.30 with overtime in the amount of \$5,176.45 for a grand total of \$75,416.75.

Commissioner Karolian seconded the motion. Motion carried unanimously.

September 13, 2011 Manifest

Chairperson McHugh made a motion to approve the September 13, 2011, in the amount of \$6,030.34. Commissioner Scherer seconded the motion. Motion carried unanimously.

Chief: When I talked about cutting fleet down, the town does whatever they want to do with it.

Chairperson McHugh: The council was suppose to take this up and was suppose to find out if we could use the vehicles for trade ins.

Chief: I had discussion with ..... I thought we were waiting to see what was going to happen.

Finance went forward with this procedure. Comm. Karolian: Anytime we had a car that we

wanted to get done with, it would go to the town. Chief Agrafiotis: They would determine

whether it should be junked, used for parts. Comm. Karolian: Who authorized going to town?

September 15, 2011 Manifest

Comm. Karolian made a motion to accept the payroll manifest for September 15, 2011, in the amount of \$38,010.65 Comm. Scherer seconded the motion. The motion carried.

Comm. Scherer: Chief, is that a per diem rate for lunches? Chief Agrafiotis: Yes.

Public Input

David Pearl, 79 Main St.

First of all, I hope you don't reduce the time. Often times we are bringing information to act upon. I hope you can see my frustration. You have a requirement to live in this town for five years. The Chief is so easily confused, and he doubts that and rejects the SRO expenditures. We have had an SRO for a while. I would caution, or hope, and look at that personnel file; and I think that we are looking into a personnel discrimination. I am also concerned, that non-public meetings can go from five minutes to longer. We are getting a lot of information on the SRO category. The school board members did not know who was going to be the SRO. If the person

you are talking about that they be available to be here, because it is there reputation . I have been warned, and I don't mean to be disrespectful when we come forward as a public what form can we expect.

John Lyscars, 41 Hackett Hill Road

I appreciate your time that you all put in. Commissioner Karolian, I was going to ask you to repeat your question to the Chief. When I heard that the Chief said the changes were upstairs, I would just like you to make sure that does not go forward.. Commissioner Karolian, It is my understanding the commission is to authorize certain.... The Chief was pretty clear about the AOMs or SOP changes. The other point is that you invite the public to attend the meeting. It is frustrating to the community that it seems like there is an awful lot that goes to non-public. Does an employee have to be invited ahead of time?

Comm. Karolian: I would say no, the commission can discuss along with the town council, as long as they are following the NH RSA. The commission can be long winded and can go back and forth a long time. I don't want to give an appearance that the non-public is at the end, and

then have the public wait for a long time. There are a lot of things that can be released, but the commission needs to follow by the law.

Mike Downer: The council view is the RSA is very strict. RSA 91-A: 3 disclosure of information, it limits it to the employee. If there was a discussion of the audit, the town council tries to limit the non-public. We have to have faith that the conversation is limited to the RSA. The town council view is as soon as the audit is in, they need to be made public.

Chairperson McHugh: We made a commitment to the public that we would give that when the audit results are in.

Comm. Karolian: I am not covered under the RSA91-A, this commission is well aware of that. We need to discuss things under RSA91-A, it would take us a long time to go back and release non public. It takes time. The audit of the public portion will be released to the public. The town council will get it at the same time.

Chairperson McHugh: The only thing I was asked, if when we release it that we let the town council come and I don't have a problem with that.

Comm. Scherer: As far as the non-public and public and the right to know request, if there was information we would try to do that earlier in the meeting.

Marc Miville, 41 Main St.

Limited public input, that I have made a decision for you. I could talk fast, I am better when I can read it in a calm manner. I believe people that come here make a difference. I don't think that 3 minutes is enough especially when we come here once a month. I think that I have made a difference. The SRO update was on the agenda, we did not get that information.

Comm. Karolian: That is what we did. We talked about the requirements. I made sure the public was aware that the requirement was taken and the commission took away that.

Doesn't the public need to know now. The school is seeing him now, the parents and the schools.

Comm. Karolian: We try to stay away from names, because it could come back.

I am saying that the interim is SRO such and such. This is the SRO for now and this is the way to contact him. It should have been more updated on the SRO.

Comm. Karolian: About the three minutes. You rarely here the timer go off. It is not to prevent public input. How much does the town council get?

Mike Downer: We set aside 15 minutes. Then we break it up.

Chairperson McHugh: By the time we went and gave everyone there public input, we went 42 minutes. There will still be 2 public input. We are just going to limit it to 3 minutes, because there are so many people who attend, we just want to limit the time.

JR Oullette, 3 Summer Fare St.

Hope you don't feel like we are wasting your time. We are very aware of what is going on in this department. I don't want to sit here every month; there is a lot of turmoil in this department. I would strongly recommend to leave it until after the audit, or go to 2 meetings a month.

Chairperson McHugh: We have looked at it and that is a piece we need to look at.

Comm. Karolian: Sometimes it is easier to come to a six hour meeting, then two or three hours. We are volunteers.

Other thing is the vehicle. State Motors offered to match it for the lowest price. Who would get the job if state Motors was not the lowest.?

Comm. Karolian: We held that bid.

Chairperson McHugh: That is the other reason for having some discussion, could some of the work be done in-house, instead of going to get three bids and use the in-house.? We have made it a priority to who is going to do the work.

Comm. Karolian: Chief, in regards to the rotor job, did you say that particular company would match what the other company?

Chief Agrafiotis: I believe Lt. McDaniels put that on the bid.

I agree with you that the highway department should be involved. I just don't like this process. I think I should get the job if I am qualified. Last thing is the SRO position. Wasteful spending is what I am concerned about. Putting someone in that is an interim. Until a decision that has been made. If I can back into the budget committee, then I will be looking at that.

#### Items for Next Agenda

- CIP Update
- Information on break repair
- Question on Community service line from August
- Special Detail
- Town Council member on vehicles
- Map for sectors

Commissioner Karolian made a motion to enter non – public according to NH RSA 91-A: 3, II, (c) & (e) at 8:35PM. Motion seconded by Commissioner Scherer. Motion carried unanimously.

At 12:37 p.m., Comm. Scherer made a motion to seal the minutes, seconded by Comm. Karolian. Motion carried.

Comm. Scherer made a motion to come out of non-public session at 12:37 p.m. Motion carried. Comm. Karolian made a motion to seal the non-public minutes, seconded by Comm. Scherer. Motion carried.

Commissioner Scherer made a motion to adjourn the meeting at 12: 40 p.m., seconded by Commissioner Karolian. Motion carried.

9/20/11 minutes amended by Nancy Perry