

Approved

Tuesday May 17, 2011

The Hooksett Police Commission held a public meeting at the Hooksett Safety Complex on Tuesday May 17, 2011. Present were Commissioner Clark Karolian, Chairperson Joanne McHugh, Commissioner Henry Roy, and Chief Stephen Agrafiotis.

Call to Order at 5:30PM.

Proof of Posting.

Pledge of Allegiance.

Audit Contract with Public Safety Strategies with Kym Craven.

Kym Craven came and discussed the process of the audit. She explained that to start the process they start out interviewing and then they can ask any questions that they have. PSSG will remain in contact with the commission to let them know what is going on. For starters they will start with the internal and external interviews. Then they will hand out surveys as another step to the process. One thing is Public Safety Strategies also likes to compare other departments that have similar items. After all the process is done the commission has two weeks to review the information and going forward from tonight would become official.

Chairperson McHugh asked Captain Daigle to be the go to person. He would be the person who will get the information needed.

Commissioner Karolian would like every officer that works for the department to be interviewed; also stated that if you do one on one interviews you would get more information.

Rick Bailey stated that confidentiality is very important. Before any information is placed in a report it is asked by the person that was interviewed first.

The commission asked how many years they would go back to interview former employees. It was stated that they would go back to 2005; however they may need to go back further at least 10 years back. Another thing the commission would like in the scope when interviewing past employees is why people left the department. Examples of this is marriage, divorce, or unhappy with the department.

Commissioner Karolian made a motion that under no circumstances that there will be no discipline taken against any employee of the Hooksett Police Department for their part of participation or candor of the audit to be included all forms of communication of the audit. Motion was seconded by Chairperson McHugh. Motion carried unanimously. Chairperson McHugh – Aye, Commissioner Roy- Aye, Commissioner Karolian-Aye

Minutes of Last Meetings

October 19, 2010

Commissioner Roy made a motion to take the minutes of 10/19/2010 off the table. Motion was seconded by Commissioner Karolian. Motion carried unanimously.

Page 5, Paragraph 13 – Chairperson McHugh

She stated she is a taxpayer who is unemployed and struggling with the recession and doesn't want to see the wastefulness going on. She wants accountability for her tax dollars.

Amended: Ms. LaPointe stated she is a taxpayer who is unemployed and struggling with the recession and doesn't want to see the wastefulness going on. She wants accountability for her tax dollars.

Page 10, Paragraph 5 – Chairperson McHugh

He stated he had an e-mail from someone at town hall reference doing exit interviews. If they are interested he could get them her name she was not opposed to doing them. Exit interviews need to be done. Chairperson McHugh stated the Town Administrator was opposed to her doing them.

Amended: He stated he had an e-mail from someone at town hall reference doing exit interviews. If they are interested he could get them her name she was not opposed to doing them. Exit interviews need to be done. Chairperson McHugh stated the Town Administrator was opposed to the HR doing them.

Chairperson McHugh made a motion to approve the amended minutes. Motion seconded by Commissioner Karolian. Motion carried unanimously.

November 23, 2010

Chairperson McHugh made a motion to take the minutes of 11/23/2010 off the table. Motion was seconded by Commissioner Roy.

Page 3, Paragraph 3-Chairperson McHugh

Commissioner Karolian stated he doesn't understand why a 2008 car has not been placed into service and an older one has not been taken out. Chief Agrafiotis stated it was explained 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 have any vehicles; to get rid of something they have been lucky on maintenance. And on cars because the new vehicle was sitting there rather than take an old vehicle that is still running and getting good usage out of without costing the town money they didn't think it prudent to take an older car out of

service and that was still working good and put the new vehicle. So they town has gained.

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Commissioner Roy made a motion to approve the amended minutes. Motion was seconded by Chairperson McHugh. Motion carried unanimously.

March 14, 2011

Commissioner Karolian made a motion to take the minutes of 03/14/2011 off the table. Motion was seconded by Chairperson McHugh. Roll call: Chairperson McHugh-Aye, Commissioner Roy-Abstained, Commissioner Karolian-Aye.

Chairperson McHugh made a motion to approve the minutes of 03/14/2011. Motion was seconded by Commissioner Karolian. Roll call: Chairperson McHugh-Aye, Commissioner Karolian- Aye, Commissioner Roy-Abstained.

March 15, 2011

Commissioner Karolian made a motion to continue to table the minutes of 03/15/2011. Motion was seconded by Chairperson McHugh. Motion carried unanimously.

March 28, 2011

Commissioner Karolian made a motion to take the minutes of 03/28/2011 off the table. Motion was seconded by Chairperson McHugh. Roll call: Chairperson McHugh-Aye, Commissioner Karolian-Aye, Commissioner Roy-Abstained.

Commissioner Karolian made a motion to approve the minutes of 03/28/2011. Motion was seconded by Chairperson McHugh. Roll call: Chairperson McHugh-Aye, Commissioner Karolian-Aye, Commissioner Roy-Abstained.

April 4, 2011

Commissioner Karolian made a motion to take the minutes of 04/04/2011 off the table. Motion was seconded by Chairperson McHugh. Roll call: Chairperson McHugh-Aye, Commissioner Karolian-Aye, Commissioner Roy-Abstained.

Commissioner Karolian made a motion to approve the minutes of 04/04/2011. Motion was seconded by Chairperson McHugh. Roll call: Chairperson McHugh-Aye, Commissioner Roy-Abstained, Commissioner Karolian-Aye.

April 18, 2011

Commissioner Karolian made a motion to approve the minutes of 04/18/2011. Motion was seconded by Chairperson McHugh. Roll call: Chairperson McHugh-Aye, Commissioner Karolian-Aye, Commissioner Roy-Abstained.

April 19, 2011

Commissioner Karolian made a motion to table the minutes of 04/19/2011. Motion was seconded by Chairperson McHugh. Motion carried unanimously.

May 2, 2011

Commissioner Karolian made a motion to table the minutes of 05/02/2011. Motion was seconded by Chairperson McHugh. Motion carried unanimously.

Public Input

David Pearl, 79 Main St.

Mr. Pearl had some questions for the Chief with regards to the grievance hearing that took place on Officer Defina. These were questions that the public was left without any answers to. Is it against the law to present fake drugs in the school? Is the possession of electronic pornographic material a felony? In December 2008 why was there an order in place that the SRO received no overtime? On December 11th, why could Lt. Cline or Captain Cecilio not leave the oral boards to help deal with the sexting issue? On December 11th, why was there no detectives dispatched to the school when Officer Defina was ordered to leave the school? And the last question was did the Chief have a plan that he could express to the public on how he was going to deal with the Hooksett Police Department.

Chief Agrafiotis: The command staff has discussed many issues however; he does not have a plan right now that he can give the public.

JR Oulette, 3 Summerfare St.

Mr. Oulette wanted to thank the commission for listening to the Officer Defina grievance hearing. He believes there should be steps taken to protect the town and Officer Defina should be given back his job as SRO in the schools. It was also stated that he believes the Chief should be held accountable for what goes on within the department. He also wanted to know who changed the simple assault case into a hate crime. This was not answered in the hearing. He also believes that Officer Defina was targeted and something needs to be done to protect Officer Defina and other officers in similar situations.

Chief Agrafiotis: Last week Captain Daigle made him aware of the detective that was handling the sexting issue. She stated that she started the investigation the next day not a couple days later.

Marc Miville, 42 Main St.

I'm also hearing a lot of comments from the Chief that also says, as he has just said right now, "I don't have any information in front of me." And from my observations of those hearings was that that was said a lot, and they did not come prepared very well for the meeting, for the hearing for that testimony, and so as I've said in the past, Officer Defina was charged with incompetence among other things, and yet what I saw there during those meetings was that he was very competent. Whereas the Department did not do a very good job of pleading their case.

I do want to now state, that based on your opinion of that the grievant was relieved of his personnel files of those documents of those grievances. I am now wondering why, if there is any consideration, any future considerations, for any ramifications or punishment for the people who failed to prove that case, and what you found in that testimony was also incompetence on that end, and there any – who's going to be written up for those kinds of actions as well, for not, of failing to do their job as well. For someone to – **allegedly** – take their hands and rub, and go around somebody's (an officer's) neck, and say, "It depends on how you answer this question, depends on how I twist." - To me, that is **blatant harassment in a hostile workplace environment**.

Thank you very much.

Chief Agrafiotis: Lt. Cline did file a complaint in regards to what was done at the hearing. It is being sent to the IA to handle it.

David Pearl, 79 Main St.

Mr. Pearl asked law questions and about the school. But the Chief refused to answer them. The commission stated before that if questions were asked and could be answered they would.

The commission spoke that this would not be a back and forth. They were not going to rehash the hearing. Commissioner Karolian stated that the Chief should not be able to answer questions during the public input.

Monthly Reports

Police Budget Report/ OT Report

Chairperson McHugh stated that the overtime line is overspent budget.

A discussion was held on the monthly budget reports. Captain Agrafiotis commented right now with 43 out of 52 weeks done he reported that in the best case the department would have \$69,114 left to give back to the town and in the worst case they would only have \$17,315.

The Commission looked at the report that calculates where money has been spent and how much is left over. There are numerous lines that still have dollar amounts in the positive; however there are some lines already in the negative. So a discussion was held on where to cut spending.

Commissioner Roy asked the Chief to bring the budget to the next meeting.

Commissioner Karolian made a motion to freeze the following accounts: 443 training, 315 maintenance contract, 445 publications, and 713 police equipment. Motion was seconded by Chairperson McHugh.

Roll Call: Chairperson McHugh-Aye, Commissioner Karolian-Aye, Commissioner Roy-Nay.

Old Business

Research Special Details

A discussion was held on the special detail rates. Chief Agrafiotis wanted to know if they wanted to pay the officers for the overtime rate or continue to pay detail rate for the town. It was stated that the detail rate would be paid for the officer. If making it a flat rate for everyone it would be easier. By doing so it would cost them fewer issues. Also there was talk about what the detail rate was in the contract. There is no language in the CBA with regard to this subject. Everybody below the Chief can make the detail, the Chief cannot. It reviewed once a year for the special detail rate according to the CBA.

Commissioner Karolian made a motion for any details for any town function that the officers will be paid a detail rate as defined in the current CBA and it will come out of the police department budget. Commissioner Roy seconded the motion. Motion carried unanimously.

Part time officers

Captain Daigle spoke to the commission on the going ahead with the part time officers. The resumes that have come in do not have the certification, or no experience. The department has only received 10-11 people who were interested in the position. There is one person that does have full time status that attended the police academy with the other two candidates that were recently hired. The department is fully staffed. It was also asked when Captain Cecilio retires do they fill the position or do they leave it open. The Chief would like the Captain position filled and be a patrol position. Right now the commission will hold off on that until after the audit is done.

Verizon

Captain Daigle continues to work with Mark Stewart with Verizon. The position above Mr. Stewart continues to be not filled. However, Captain Daigle continues to maintain a dialog with the Mr. Stewart. .

Calls to Service

The department gave a new format to the commission. The commission asked Captain Daigle to break up the sectors so it would be just a little easier to read. This will allow the commission to see how many calls to service there was. A good thing with the report is the report shows how many calls per service per shift.

Media Room Phone Jack

Chief Agrafiotis stated it is believed that they would be able to tap into the room next door. The cost would \$185 total; this would include \$135 for the wiring, and \$50 for the phone. The Chief would request however the commissions give a not to exceed amount in case something goes wrong with the installation.

Chairperson McHugh made a motion for the media room phone jack wiring and the phone not to exceed \$250. Motion was seconded by Commissioner Karolian. Motion carried unanimously.

Prosecutor Vehicle Use

A discussion was made on the prosecutor vehicle use. The Chief stated most places offer the vehicle and if the person does not take the vehicle they don't get reimbursed for the mileage. The prosecutor would rather work out of her car. The commission will keep paying mileage for the prosecutor. It was also asked if other employees had the same opportunity to take their own vehicle. If the employee is going locally then they can use the department's car. However if the employee is going out of state they don't like the cruiser being tied up all day. The employee is covered by the town. No matter where the employee is going they have the option of taking a police vehicle or their own vehicle. There needs to be a formal policy written up and there needs to be a policy book written.

Prescription Drugs

The fire department put up a note saying they don't take old prescription drugs. However, in October of this year the Hooksett Department will be an officially drop off.

New Business

Manifest(s) approvals and procedures

The department made up a plaque for those being recognized. This could be a town official, citizen, or an employee. The plaque came out of the community service money. A discussion was held also on the use of the Wal Mart credit card. The supplies should be purchased through other divisions. Commission requested that the department look at the WB Mason.

Commissioner Roy made a motion to approve the payroll manifest for 5/13/2011 in the amount of \$122,438.85. Motion was seconded by Chairperson McHugh. Motion carried unanimously.

Commissioner Karolian made a motion to approve the bill manifest for 5/13/2011 in the amount of \$8,962.01. Motion was seconded by Commissioner Roy. Motion carried unanimously.

Fiore Step Increase Scales

The commission had a discussion on the step increases and where the justification came for it. It is not shown in any minutes that there is a pay scale; however there is one on the CBA. Chief Agrafiotis gave the commission a packet which included a scale and copies of the minutes. The pay scale has to be discussed in non public. There has to be a ceiling on to which the employee gets paid to. Over the years other commissions have decided to make longevity plans. Chairperson McHugh states there should be a minimum and maximum pay wage.

Commissioner Karolian made a motion to go into non-public RSA 91-A: II (a) at 9:06PM. Commissioner Roy seconded the motion. Motion carried unanimously.

Commissioner Karolian made a motion to come of non-public at 10:11PM. Motion was seconded by Commissioner Roy. Motion carried unanimously.

Commissioner Karolian made a motion to seal all parts of the non-public session. Commissioner Roy seconded the motion.

Public Input

David Pearl, 79 Main St.

Mr. Pearl expressed his concern with the Chief. He states as a citizen he has questions about what laws pertain to our schools and our children. Mr. Pearl also believes it is rude that the Chief would not say anything to him or even look at him while answering. He feels that the Chief is singling him out. He objects to not be given answers to his questions.

Marc Miville, 42 Main St.

He wanted to discuss the budget with the commission. One issue had to do with the mileage. IRS mileage reimbursement is \$0.50 a mile. The department does not have to pay the person all the mileage.

Commissioner Karolian made a motion to enter non-public according to RSA 91-A, 3: II. Motion seconded by Commissioner Roy. Motion carried unanimously.

Commissioner Karolian made a motion to come out of no-public at 10:39PM. Motion seconded by Commissioner Roy. Motion carried unanimously.

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

Commissioner Karolian made a motion to adjourn the meeting. Motion seconded by Commissioner Roy. Motion carried unanimously.

Meeting adjourned at 10:40PM.

Drafted by Dawn McDonald, Recording Clerk
Amended by Dawn McDonald, Recording Clerk July 26, 2011