

Town of Auburn
AUBURN POLICE COMMISSION MEETING
MINUTES
April 4, 2017

Present: David Dion, Police Commissioner, Glenn Shaw, Police Commissioner, Dennis McCarthy, Police Commissioner, Chief Edward Picard, Lt. Ray Pelton and Lillian Deeb, Office Manager.

Also Present: Steve Grange, Linda Dross, Mike Dross, Jill Dross, Mike Rolfe, John Rolfe, Mary Ann Rolfe, Marion Miller, Mike DiPietro, Bill Herman, Paula Marzloff, Russell Sullivan, Tom Gonyea, Melissa Gates, Greg Santuccio, Chip Chabot, Officer Kapos and Officer Huard.

D. Dion – the public meeting was called to order at 7:00.

REVIEW THE March 7, 2017 PUBLIC and NON-PUBLIC MINUTES

D. McCarthy - motion to accept the Public minutes as presented. **G. Shaw** - second. All in favor. **Motion passes.**

D. McCarthy - motion to accept the Non-public minutes as presented. **G. Shaw** - second. All in favor. **Motion passes.**

REVIEW BILLS AND CORRESPONDENCE

None

NEIGHBORHOOD WATCH UPDATE

D. Dion – welcomes Mr. Grange. **S. Grange** – comments all remains quiet and comments activity on Raids reflects the lull. **D. Dion** – comments “no news is good news”.

CHIEF’S REPORT

Chief – comments on the one burglary reported in March and mentions Detective Chabot has it solved. He further comments on the fatal overdoes this month and that it’s under investigation by the AGs office. He also comments that this month AVS will be conducting an evacuation drill and the department is preparing for the increased activity that comes when the weather gets nicer.

LIEUTENANT’S REPORT

R. Pelton – updates the commissioners that this month is Distracted Driving Awareness Month and mentions the extra patrols the department will be conducting targeting cell phone use. **D. Dion** – asks if cell phone use is seen often. **R. Pelton** – affirms and comments the officers are going to team up using one officer to see the violation while other officer drives and makes the stop. The department will attempt 20 targeted patrols for the month of April. He comments the Chief touched on the school evacuation plan taking place on May 1st. **D. Dion** – comments on

the 500 children evacuating. **R. Pelton** – comments the possible issue of getting those students into the Safety Complex but that the teachers all have been assigned different areas but didn't realize how many students were for example in kindergarten. The Department is looking into closing Eaton Hill Rd just for the duration of the evacuation and will have officers stationed along the road while the children walk to the fire department. He comments on the legal training the department had in March and mentions in April having defensive tactics training and mentions Primex being contacted to look into defensive driving training. He updates commissioners that the department has an officer out for shoulder surgery which leaves the department down a full-time officer but that the part-timers are picking up some of those additional shifts. **D. Dion** – asks if it is a worker's comp claim and therefore won't be coming out of the payroll budget. **R. Pelton** – confirms it was a work-related injury. He further comments on only completing five MRI recommendations this month because he picked up some of the open shifts. He mentions the department policies have been transferred to the cruiser laptops; that defensive training is being set up, along with prosecution training, defensive driving and accident training; he changed the job description regarding ancillary duties and considered having a volunteer for grants mentioning Lil is presently signed up for grant writing class and we've enlisted interns for gathering data. He comments the department doesn't feel it is cost effective to purchase a fingerprint scanner but will continue to look into scanner equipment with better pricing or discounted. **D. Dion** – asked about the number of fingerprints the department does annually. **R. Pelton** – comments somewhere in the range of 140 but not enough to spend \$15,000. He further mentions training the town will be doing on April 18th sponsored though Primex, mentioning he wasn't sure if the commissioners received the email. **B. Herman** – comments PC invited. **D. Dion** – comments seeing the email for 8 am to noon training and will bring ice cream for dessert. **D. McCarthy** – comments on the Primex training and the Stevens Driving School. **R. Pelton** – comments that is who the department has been in contact with the see about coming to the department to do the classroom portion and mentions the use of the simulator is limited to only few people for two or three hours and scheduling would be a more complex plan and might try to do something like that over the summer. **D. Dion** – asks what the department plan for the full-time position that was budgeted for and what was considered for start time since there is an officer presently out. **R. Pelton** – comments the time out of work is possibly four months. **D. Dion** – asks if the commissioners should be considering hiring sooner. **Chief** – comments that the department has a part-time officer that has expressed an interest. **D. Dion** – asks if we should consider a sooner start date. **R. Pelton** – comments on checking with the town administrator to see what procedure would be for that.

OLD BUSINESS

D. Dion – reviews 2017 budget and commenting being 1/4 of the way through the year and right now being at 20%. **R. Pelton** – comments some lines like training is high and reminds the commissioners this issue was spoken about last month, in the PSTC has cut back on training and with young officer eager for training. **D. Dion** – ask if this is online training. **R. Pelton** – comments most of the training is multi-day training usually offered by other policing agencies that host. **D. McCarthy** – comments still early in the year

NEW BUSINESS

D. Dion – comments on being presented with a letter from Melissa on video recording.

Dion gives the commissioners an opportunity to read Melissa's letter to discuss.

D. Dion – asked Melissa if it was her plan to do this on her own time or department time. **M. Gates** – comments she hadn't given that any consideration. **R. Pelton** – comments the department had talked about it and assigned it to her as the community relations person to look into commenting there are two different approaches to this. He mentions any person can record a public meeting. **D. Dion** – clarifies video and audio. **R. Pelton** – confirms it is a public place with no expectation of privacy but cannot in anyway disrupt the meeting when recording. He comments the department was thinking of doing it as an entity as part of a community outreach, having talked to the director of Manchester's public television station and received a lot of guidance from him. The director explained that as long as the department did it as a "non-official" record that the record could be posted anywhere and anytime and that the official report would still be the minutes which are kept at the Town Clerk's Office. He explains the director told the department that because the recording was posted as unofficial there was no expectation every meeting would be recorded if for example a meeting went unrecorded that it was simply informational so residents could stay informed. **D. Dion** – mentions this won't be on a channel. **R. Pelton** – confirms this wouldn't be on a specific town channel and mentions there are smaller towns like Chester and Atkinson but that this wouldn't be on a cable channel. He also mentions discussions about contacting Pinkerton Academy to see if there were students interested in operating equipment for credit towards video production classes. He mentions the recording was the department's way to outreach to residents as suggested by MRI and that was what the department's thought process was. **D. Dion** – asks about the equipment that would be needed to video record. **R. Pelton** – comments Chip has his own equipment but that the department has similar equipment as well. **D. Dion** – ask about the quality of the equipment. **C. Chabot** – comments that is not an issue. **D. McCarthy** – comments on his issues having been involved with this in other places; he mentions that no expectations become expectations once started; he comments on the storage issues of the tapes and the need for a protocol; the issue of cost and feels police staff shouldn't be paid and doesn't have a problem with a town resident coming to film meeting but not the job of the police department. He further mentions Melissa's letter discusses funds available but those funds are currently returned to the town as revenue and reduce the tax rate not sure if the town would want to use those funds for that purpose and bring before them to decide not the police commission. He raises he concerns this will create a slippery slope and recommends looking into a live feed streaming of the meeting, setting up for a minimal cost and a hands-off approach and recording would only provide a filming of one side of the proceedings unless you have someone running and turning the camera it has expectations of how they are going to do it as it has the potential of becoming evidentiary and could be problematic. He also believes there is a cable channel in the town's contract. He offers the idea of live stream again. **D. Dion** – asks what something like this cost. **D. McCarthy** – comments not sure if there is even a cost since it may be a live stream with advertising. **G. Shaw** – questions what the preserving of the live stream is and wouldn't be used as documentation later. **D. McCarthy** – comments there is a chance someone will look for the record but at the very least would have to indicate how long this type of record will be kept. **D. Dion** – looks to Ray for a better understanding of what was explained by "unofficial". **R. Pelton** – confirms that was his understanding from the Director of Manchester public television and mentions the department records the meeting now which gets saved and if A Right-to-know was filed that is what they would get. **D. Dion** – comments consulting town's attorney related to the right to know issues this involves. **D. McCarthy** – agrees a question for Attorney Peahl. **B. Herman** – comments it wouldn't be Kathy but it would be town counsel and comments it is a record you are creating which is different than the record of the minutes and comments the law is clear that the minutes are the official record and notes to create the minutes can be destroyed and comments Dennis is correct that a policy is needed because if you have it, the record can be requested. **D. Dion** – comments about looking into this issue more before next meeting with live streaming and clarification with town counsel on whether a recording can be called unofficial

have to be saved and the issues around that. **C. Kapos** – comments the unofficial do not have to be saved because it would be like a private person recording a public meeting. **D. McCarthy** – comments the issue is if the person is being paid by the department. **R. Pelton** – comments the department can look into that. **D. McCarthy** – comment he will look into the live streaming and playing a loop of meeting over time and will send it to Melissa or Ray. **D. Dion** – looks to Bill Herman to set something up with town council before the next meeting. **M. DiPietro** – comments his earlier question was answered

G. Shaw - motion based on satisfactory review and award Officer Keith Bike a step increase from a Labor Grade 6, Step 10 to a Labor Grade 6, Step 11, **D. McCarthy** – second. All in favor. **Motion passes.**

D. Dion – comments before commission adjourn does anyone have anything else they would like to address. **M. Dross** – comments he would like to file a complaint on one of the part-time officers and comments commission “needs to do what they have to do” and comments because of the officer’s actions he incurred legal fees and would like them reimbursed and would like a response in writing. **D. Dion** – reminds Mr. Dross that the commission should not be getting complaints that there is a policy. **M. Dross** – asks if the commissioner are in charge. **D. Dion** – comments the complaint procedure provides the complaint goes to the Chief and comes to the commission later in the process and suggest Mr. Dross re-read the procedure to file the complaint. **D. McCarthy** – comments that is a police department rule but does not always apply to the public and comments since the complaint came to the commission directly the commission will speak to the town’s attorney and not get into it.

M. DiPietro – comments about his high hopes the radar trailer would pass the warrant article vote for new speed trailer and asks if there is a plan B. **D. Dion** – comments he raised his disappointment with the Chief. **Chief** – comments the speed trailer is one of the tools the department uses to combat speeding and address residents’ concerns. He comments it’s not the department’s place to find funds elsewhere, although half the funds were obtained by a grants the department applied for, it would be going against what residents want. **D. Dion** – comments the department will continue to have to use the old speed trailer. **D. McCarthy** – questions whether the old trailer works. **R. Pelton** – comments it works as a visual tool and helps and will continue to work with it as a visual. He mentions the grant patrols the department is presently conducting to address speeding area concerns. **D. Dion** – agrees the department shouldn’t look for budgeted funds when the residents made their choice known.

G. Santuccio – requests to address the commissioners about them accepting a personnel complaint against policy and that the union objects. **D. Dion** – suggests going into non-public to discuss. **D. McCarthy** – comments issue can be discussed with attorney and comments when handed complaint can’t refuse and the policy is for the department and doesn’t apply to commission and it may be difficult because we are the arbitrators but can deal with that issue with town council

G. Shaw - Motion to adjourn. **D. McCarthy** – second. All in favor. **Motion passes**

Meeting closed at 7:35 pm.

Minutes approved by _____ on _____.