

Town of Auburn
AUBURN POLICE COMMISSION MEETING MINUTES
May 1, 2018

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

Also Present: Steve Grange, Mike DiPietro, Ed Gannon, John Rolfe, Christine McLaughlin, Marion Miller, Paula Marzloff, Susan Goodhue, Glenn Shaw, Julie Demers, Matt Demers, Dennis Vieira, Pauline Vieira, Linda Dross, Jill Dross, Mary Ann Rolfe, Melissa Gates, Dave Oliveria, Gavin Oliveria, Rusty Sullivan, Chris Beaule, Tom Gonyea, Sgt. Kevin Cashman, Officer Bartis and Officer Huard.

D. Dion – called the meeting to order at 7:01 PM. He asks everyone to stand and lead the Pledge of Allegiance.

REVIEW THE April 3, 2018 MINUTES

D. McCarthy - motion to accept the minutes as presented. **M. Rolfe** – second. All in favor. **Motion passes.**

CHIEF'S REPORT

Chief – comments on the calls for service for the month and mentions the recent burglary on Londonderry Tpk near the Manchester line. He mentions the Drug Take Back event that occurred this past Saturday from 10 am to 2 pm, commenting about 70 pounds were turned in.

D. Dion – mentions there is a drug-take-back box in the lobby of the PD that can be used anytime. **Chief** – comments he has been the Chief in Auburn for over 28 years and that the officers are professional, and commission should be praising them not trying to fire them. **D. McCarthy** – questions why the Chief believes the commission is trying to fire officers. **Chief** – comments having heard differently at the polls. **D. McCarthy** – comments he wasn't at the polls. **Chief** – comments that someone was. **D. Dion** – asks if there is anything further for the Chief. **D. McCarthy** – mentions since the Chief brought up having worked for 28 years, asks the Chief if he has any retirement plans. **Chief** – comments that is none of Commissioner McCarthy's business. **D. McCarthy** – mentions the commission must have to plan for the succession of the department and if the Chief makes plans where the department is going in the future. **Chief** – comment he will let them know. **D. McCarthy** – questions whether Chief has plans. **Chief** – reiterates he will let them know. **D. Dion** – moves the meeting on.

LIEUTENANT'S REPORT

R. Pelton – comments he has some actual law enforcement items to discuss, mentioning DWI activity is up this month, mentioning motor vehicle activity as a whole is up especially in the area of the By-Pass. He comments on the increase in calls at Front Park and mentions the thefts which occurred at the Mega X. He predicts the By-Pass may be a hot area over the summer months and mentions the department is utilizing targeted patrols for that area. He mentions that Manchester Water Works will begin their summer patrol shift soon which will increase visibility. He comments on the complaint the department received related to motorcycles speeding on Wilson's Crossing and directed patrols that will be in that area on weekends. **D. Dion** – questions whether those are DWI grant patrols. **R. Pelton** – explains those will be directed

patrols and not grant patrols. **D. McCarthy** - reiterates those patrols will not be grant funded. **R. Pelton** – comments the grant patrols are time and date specific to commuting hours. He mentions the graffiti and vandalism up on Dartmouth, explaining the Road Agent is looking into a dumpster for items and the department will be doing directed patrols in that area. **D. McCarthy** – asks if officers are directed to examine the materials to see if the person dumping it can be identified. **R. Pelton** – comments offices have reviewed dumped waste to try and determine a defendant but that most of the materials on Dartmouth are landscaping materials. **M. Rolfe** – comments on a couple of air conditions. **D. McCarthy** – comments it is surprising what people will leave that may help identify them. **R. Pelton** – comments on the multiple calls received related to bears citing in area of Tower Hill, McEvoy and Harvard and mentions Candia call for a bear killing a goat. He mentions the pistol qualifications are almost completed on the new duty weapons and expects to finish this week. **D. McCarthy** – clarifies that the turn-around for the turning in of the old guns will be completed. **R. Pelton** – confirms. He further mentions the vacant full-time position the department has for July, mentioning unofficially has been throwing around the word and has spoken to three certified officers that expressed an interest but that hasn't worked out because they couldn't afford the pay cut. He further explains the department is going to advertise on the municipal website and police academy but may have to go with an uncertified candidate. **D. Dion** – mentions that if the department goes with an uncertified officer there will be a training expense and then won't have an officer on the schedule until next year. He mentions advertisements should be going out soon. **R. Pelton** – confirms with Ms. Deeb the process has begun. **L. Deeb** – comments by end of week. **R. Pelton** – comments there is a Fall academy. **D. McCarthy** – comments it is harder to find people. **M. Rolfe** – asks if the motorcycle is running. **R. Pelton** – confirms and mentions Officer Kapos has had it out once this season and will again tomorrow. **D. Dion** – asks about the bicycle patrol. **R. Pelton** – mentions there is a training scheduled for officers before they are out patrolling and mentions that presently Officer Kapos, Officer Goonan and Officer Lennon are trained but want officers to have basic training before going out.

NEIGHBORHOOD WATCH UPDATE

D. Dion – greets Mr. Grange and mentions the Crier contained the notice about joining the Neighborhood Watch and he hopes membership will increase. **S. Grange** – mentions to those attending if they are not members it is simple to join with little to no commitment to time. He further mentions it being an open avenue to communicate with the department. **D. Dion** – mentions last meeting discussions were had about missing signs and adding additional signs in neighborhoods and asks if the Road Agent does the installation. **R. Pelton** – comments the department takes care of that. **L. Deeb** – mentions additional signs should be put up in area of Bunker Hill and replaced missing signs. **D. Dion** – reiterates the neighborhood watch is strong in the community. **S. Grange** – comments he feels the quick response to calls for suspicious activity is the reason. **D. Dion** – comments the department's implementation of sectors has increased the response time. **D. McCarthy** – comments it's all about the responsiveness. **S. Grange** – reiterates the department has been outstanding.

OLD BUSINESS

D. Dion – reviews agenda mentioning Mr. Rolfe brought up a number of issues and begins with random drug and alcohol testing policy proposal. **D. McCarthy** – comments after having read the union contract a policy is already contained in contract but should move forward to establish a program that builds on that for entire department. He restates that there isn't a policy for how testing is done. **D. Dion** – asked if Commissioner McCarthy has researched the cost and who

will bear the costs. **D. McCarthy** – comments commission will bear the cost, mentioning runs for his staff in Rye and comments not outrageously costly. **L. Deeb** – questions whether Commissioner McCarthy is referring to his staff as in the Rye Police Department. **D. McCarthy** – comments his staff at Public Works and mentions it is a consortium that randomly selects subject to test, mentioning DOT 25% and 50% of staff is tested. **L. Deeb** – questions whether this should be town policy. **D. McCarthy** – comments part of hiring process and in cases where officers are involved in an accident or when they discharge firearm and further mentions it is just part of his business. **L. Deeb** – questions who determines who goes for testing. **D. McCarthy** – mentions the lab determines or the program and from the employees' names that are given. **L. Deeb** – asks if the commissioner is suggesting a town wide policy. **D. McCarthy** – comments he only controls the police department but thinks it is good policy for entire town. **D. Dion** – again questions the cost. **D. McCarthy** – comments in the area of \$500 to \$1000 per year and mentions the medical line the department doesn't use. **M. Gates** – questions how testing is conducted and questions whether testing would be locally. **D. Dion** – questions whether officer will be paid for their time to go. **D. McCarthy** – comments if officer is picked at the start of his shift he goes for testing. **M. Gates** – asks Commissioner McCarthy that this recommendation is only for the police department. **D. McCarthy** – comments the police department is all he has jurisdiction over but would recommend if he was a Selectmen. **M. Gates** – asks if he has raised this with Selectmen. **D. McCarthy** – comments he hasn't and doesn't have obligation but hopes they would follow suit after seeing what commission does. **K. Cashman** – comments the language is already in the union contract and introduces himself as the vice president of the union. He further comments appreciating the topic being raised because union negotiations are beginning soon and would be a good time to implement something. He reminds Commissioner McCarthy the language in the contract indicates they are part of policy making. **D. McCarthy** – comments before negotiations but mentions whatever policy is established with the union would be a policy for the whole department. **M. Rolfe** – comments would be the same with a GPS policy. **D. McCarthy** – mentions to Sgt. Cashman that the intention is to have them involved in the policy making. **D. Dion** – comments his opinion is that the drug testing be proposed to the Selectmen as it related to town employees random testing. **M. Rolfe** – comments the testing should be done on anyone that drives a town vehicle. **D. Dion** – comments on determining which town employees this policy would cover. **D. McCarthy** – agrees the policy would have to cover all employees. **T. Gonyea** – suggests the policy cover anyone that works for the town. **D. McCarthy** – comments that is beyond commission scope. **D. Dion** – suggests bringing the idea of random Drug testing to Bill Herman to bring before the Selectmen. **D. McCarthy** – comments commission may move alone. **D. Dion** – comments that and GPS are changes in working conditions and require input from union. **D. McCarthy** – responds it's not a union issue but is management right to have GPS and use GPS and comments the policy regarding the storage and who accesses it is a management right. **K. Cashman** – comments a union rep can come to the next meeting to assist with language. **D. McCarthy** – comments he doesn't need to hear from union rep. **L. Deeb** – looks to clarify the police commission is going to write a policy on GPS. **D. McCarthy** – explains the policy will be given to the Chief for implementation. **G. Bartis** – questions why the commission going to spend money. **D. McCarthy** – comments there isn't a big cost because GPS exists in vehicle already and commission will look for inexpensive software to track. **G. Bartis** – questions why this is being sought if the NW reports response time is quick and can't recall in his history with the department hearing the comings and goings of the cruises were abused. **D. McCarthy** – comments this is accountability so there is no abuse. **G. Bartis** – asked if Commissioner McCarthy knows the costs. **D. McCarthy** – explains working on getting costs. **G. Bartis** – asks if the GPS is something that can be done through Rockingham County Dispatch. **D. McCarthy** – comments Rockingham has their own program and will have to check as the information comes. **M. Rolfe** – comments the Commissioners met with Attorney Kathy Peahl to find out what the commission can and cannot

do. **D. Dion** – comments a determination will have to be made how much, who controls and where information is stored and if using county if available, might be way, to go and suggests the other commissioners start looking into the cost, equipment involved. He further mentions civilians shouldn't be able to just call the office manager and find out where a cruise is. He questions whether Commission McCarthy has that access in Rye. **D. McCarthy** – mentions he doesn't but the Chief of Police in Rye does and that a policy will outline who will have access. **D. Dion** – confirms Commissioner McCarthy is going to research this information. **D. McCarthy** – comments he will be looking into this. **J. Demers** – asks if the commission has looked into cybersecurity and a risk assessment for someone hacking in to find out where officers are. **D. McCarthy** – comments this is not something new being proposed. **L. Deeb** – comments while the commissioners are proposing policy changes she questions budget impacts... **D. McCarthy** – states Ms. Deeb works for them and explains they are volunteering to looking into policies but can direct “you people” referring to her to look into these policies for the Commission. **L. Deeb** – remarks while she presents the budget to the commissioners each year, Mr. McCarthy scrutinizes every expense and she questions moving forward with these policy changes without first knowing budget impact, comments if the costs analysis is \$8000, questions if the commission is just going to approve. **D. McCarthy** – comment they may **D. Dion** – reiterates the commissioners are going to get more information on the GPS and random drug testing with no action tonight. He moves to the next item on agenda related to the return of MRI to review recommendations. **M. Rolfe** – comments Commissioner Dion missed the agenda item of the continuation of video recording the meetings. **D. Dion** – clarifies that they are not discussing public recording meetings but the recording that is being posted on the YouTube. He refers the commissioners to the number of video views contained in the packet and mentions would need a bigger meeting room if everyone that viewed attended. He further comments he likes the recording and sees it as transparency. He questions why the other commissioners are opposed. **M. Rolfe** – questions whether it can be determined if all the hits are from Auburn. **D. Dion** – confirms can't tell. **M. Rolfe** – comments views could be from California. **D. McCarthy** – does not think that the April numbers are realistic. **M. Gates** – explains how the counts are achieved through IP addresses. **D. Dion** – comments someone can't be driving the views up by hitting clicking into it. **E. Gannon** – comments RSA 91-A allows him to record the public meeting and will attend each month. **D. Dion** – explains the question is really if the video can be put on the town web site. **S. Grange** – mentions a large number of elderly people from the NW that can't attend, or work obligations make it so they can't attend and commission is going to take that away. He further mentions elected officials ran for this office to have a voice in the department and now don't want voice heard is ridiculous. **M. Rolfe** – agrees but feels the camera should show the speaking party and mentions questions in the back can't be heard on video. **S. Grange** – comments Commissioner Dion announces who he is speaking to and mentions certain behaviors at past meeting and comments people have a right to see what is going on. **D. McCarthy** – comments Ms. Deeb takes good minutes. **D. Vieira** – comment he is signed up to get all the agendas and minutes on his computer for all Auburn boards and departments and can read what is going on and does add to level of transparency. **D. Dion** – comments initially the video recording was a pilot to possibly look into recording all the town's meetings and likes that people have the ability to view offsite. **S. Grange** – comments the minutes miss information of everything that is being said. **M. Rolfe** – mentions it can't be picked up on YouTube. **D. Dion** – comments he could have people step to the mic and would do that if someone addresses the commission. **M. DiPietro** – suggests putting other microphones around the room. **D. Dion** – explains commissioner was not looking to spend funds, simply home style record meetings so people could watch. **M. DiPietro** – suggests spending the funds for more professional recording. **D. McCarthy** – comments he was always against recording because now created issue as when to stop and doesn't see the numbers as earth shaking and when the commission generates controversy watchability goes up but everyday business

numbers are at 31 and 68. **D. Dion** – comments 68 people attending meetings would be wonderful. **M. Rolfe** – mentions a friend from Deerfield watched.

D. McCarthy – motion the commission stops filming, commenting does not mind public filming and does not see it as the best interest for the town. **M. Rolfe** – second. **D. Dion** – opposed. **Motion passes.** **D. McCarthy** – comments filming can continue for tonight.

R. Pelton – explains to the commission the equipment before them does not belong to the department and Melissa turned it on but is not being paid as employee and explains the recording is not actually put on the town site but is done with a link to YouTube, explaining the recording is not on website, just the link and asks for the commission to clarify their motion that they are asking the Link to be removed from the Town Website. **D. Dion** – comments the motion should be clarified. **D. McCarthy** – comments the Link should be removed. **D. Dion** – comments on the equipment remaining but clarifies that recording will have to find it's own venue. **D. McCarthy** – understands the video before them may be operating but will not be sanctioned by this board. **R. Pelton** – understand the commission is looking to delete the link.

D. Dion – clarifies the motion in that “.....discontinue the recording and not allow the Link on town website” He further asks Commissioner McCarthy if he would amend motion. **D. McCarthy** – so states. **M. Rolfe** – second. **D. Dion** – opposed. **Motion passes.**

D. Dion – moves to the next item on the agenda. **E. Gannon** – comments he doesn't think the Police Commission has the right to tell the Town they can't have Links on Website. **D. Dion** – comments letting the Selectmen know the Police Commission voted the link not be on website. **D. McCarthy** – comments he believes the Town's policy is they don't link to private citizen's websites but confirms Mr. Gannon is right they make the policy. **D. Dion** – comments the MRI item on the agenda was discussed at a Selectmen's meeting and they trusted the department heads to take care of completing the recommendations and not spending money to have MRI return and asks if the commissioners are aware of how much the cost would be. **D. McCarthy** – comments understanding a letter is coming. **D. Dion** – mentions reaching out to Mr. Herman to reach out to Al Gould, Director of MRI. **D. McCarthy** – asks if Commissioner Dion has a letter. **D. Dion** – explains he has verbal confirmation that \$3000 to \$4000 at an hourly rate. He further comments affording that cost and suggests if Commissioner McCarthy is concerned, the Lieutenant offered to come and meet with the Commissioners and review all the completed recommendations for the Commission could agree with the Selectmen that the department heads can take care of the implementation of the recommendations. **D. McCarthy** – would like to table it till he receives the correspondence from MRI.

NEW BUSINESS

D. Dion – asks if there is anything else and then reviews the employee evaluation.

D. McCarthy - motion based on satisfactory review and award Officer James Huard a step increase from a Labor Grade 7, Step 11 to a Labor Grade 7, Step 12. **M. Rolfe** – second. All in favor. **Motion passes.**

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

Meeting closed at 7:43 pm.

Minutes approved by _____ on _____.