

**TOWN OF AUBURN
AUBURN POLICE COMMISSION MEETING
MINUTES
February 2, 2016**

Present: David Dion, Police Commissioner, Glenn Shaw, Police Commissioner, Ken Robinson, Police Commissioner, Chief Edward Picard, Captain Gary Bartis and Lillian Deeb, Office Manager.

Also Present: Bill Herman, Town Administrator, Mike DiPietro, Jeff Mullaney, Audrey Trickett, Paula Marzloff, Lt. Ray Pelton, Norma Picard, Dale Phillips, Sally Smith, John Rolfe, Mary Ann Rolfe, Dennis Vieira, Pauline Vieira, Michael Rolfe, Mike Dross, Linda Dross, Jill Dross, Dee Cleary, Joanne Linxweiler, Jack McFarland, Rick Gilbert, Cliff Noyes, Dennis McCarthy, Kevin Babcock, Steve Grange, Tom Gonyea, Rusty Sullivan, Karen Norris, Scott Norris, Real Mongeau, Sgt. Dave Garofano, Officer Kevin Cashman, James Huard, Chris Beaule, Greg Santuccio and Sgt. Chip Chabot.

D. Dion – calls the meeting to order at 7:02.

REVIEW THE January 5, 2016 MINUTES

G. Shaw - motion to accept the minutes as presented. **K. Robinson** - second. All in favor.
Motion passes

REVIEW CORRESPONDENCE

D. Dion – comments there are no correspondence.

NEIGHBORHOOD WATCH UPDATE

D. Dion – comments Mr. Cloutier doesn't appear to be present. **S. Grange** – comments things pretty quiet for burglaries and such. Comments there has been lots of communications. **D. Dion** – clarifies the NW are getting the monthly reports Melissa is sending. **S. Grange** - comments he continues to receive and forward them to his member and continues to get great feedback from members.

CHIEF'S REPORT

Chief – refers the board members to the packet which contained the year-end and January stats, commenting the department had 8598 calls for service, 500 calls for suspicious vehicles and/or activity. He congratulates the NW for their continued vigilance, commenting the department had a total on 9 burglaries with more than 50% solved. He further comments every officer did an outstanding job this year and he would like the Police Commission to recognize department in a letter.

CAPTAIN'S REPORT

G. Bartis – comments about a report today on an inmate walking away from halfway house in Manchester, he further comments Officer Cashman spotted the suspect on the by-pass and inmate was arrested without incident and transported by State Police back to prison. He also comments on the increase in calls related to tax fraud. He explains how the scam works and

recommends that anyone getting such a call from someone pretending to be from the IRS protect private information and call PD to make a report if victim feels it is necessary or if they have questions. He predicts tax season will bring increase in fraudulent tax filings. He further comments on the heroin epidemic in NH and reports Auburn is presently experiencing a slight reduction in calls related to heroin overdoses but this continues to be a huge concern to the agency, addicts are shooting up in their vehicle while driving or parked in public places. He asks residents to pay attention and if they see what may be drug activity to call the department immediately and lastly asks Lt. Pelton to update the commissioners on the K-9. **R. Pelton** – explains the K-9 cruiser is all set up, K-9 Athos has been screened by NH State Police and accepted into school with State Police, in Concord when initially considering school in Boston but due to travel time works well and contributes to good working relationship with State Police. Officer begins school Feb 29th for 12 weeks. He reports the only drawback is the in-service training portion no longer offered by State Police but Manchester Police, Sgt. Goodnow, has agreed in-service training can be done with MPD and calculates the dog will be ready by summer time and look to follow-up with narcotics training in the fall.

OLD BUSINESS

D. Dion – asks about the 2015 budget. **L. Deeb** – comments on the recent email she received and forwarded from Adele with the updated expenditures and although final adjustment haven't been made Adele, the finance director estimates there will be approximately \$5000 remaining in 2015 budget.

NEW BUSINESS

D. Dion – refers to agenda on new business. **M. Rolfe** – asks the Police Commission what they are doing about the recent newspaper articles, asking if the officer is still working. **D. Dion** – comments the officer is still working but explains the department's process for filing a complaint regarding an employee, explaining the matter is handled in a non-public setting. **M. Rolfe** – asks if the department has concerns if that officer arrests someone else. **D. Dion** – comments that any officer's behavior will not be discussed. **M. Rolfe** – asks the commission if he Mr. Rolfe is presently under investigation. **D. Dion** – defers to the Chief. **Chief** – comments he is not aware of any investigation. **D. Vieira** – comments on the waste that was cleaned up at the town landfill and that cost to the town, along with boring costs, explaining no one has paid for the costs and Mike Dross was exonerated and asks if anyone is conducting an investigation. **Chief** – comments the issue is not going to be discussed unless in non-public. **M. Dross** – asks Commissioner Dion if he is concerned about the articles mentioning written report, as a tax payer, questions the liability to the town. **D. Dion** – explains if a written complaint is received it will be looked into. **M. Dross** – comments it is not right he should have to file a written complaint when a public official has done something. **D. Dion** – reiterates any discussion of an employee's behavior leaves him open for liability. **D. Cleary** – comments Mr. Dion appears to be more worried about getting in trouble and asks if everyone has to go down to file a complaint. **D. Dion** – comments the process to file a complaint has been in place for some time. **D. Cleary** – mentions the department just gave him a raise. **M. Dross** – asks if any information will go public. **D. Dion** – suggests looking in the newspaper since that is where information is being sought. **D. Dion** – directs the meeting back to Mr. Vieira who appears to have more questions. **D. Vieira** – comments on attending 2 days of the trial, further commenting on actions by the police department he doesn't understand, explaining as a public trial paid with public money and police are paid with public money the trial is public knowledge, he questions the mention of specific dimensions of what was buried, commenting he questions who provided those specifics. **D. Dion** – comments the investigation was turned over to the County Attorney and

County's call to charge. Further explaining the reasoning turned over to County was there was town official involvement and someone that worked for the town. He reiterates the County made the decision to proceed, not the Police Commission. **D. Vieira** – comments about the mention at court about a weak case, comment the judge said same. He further comments the prosecutor said the police did a lousy job. **D. Dion** – comments Attorney Pate did a lousy job and suggesting if there wasn't enough evidence, the case never should have gone to Grand Jury. He relays the mention during closing arguments Attorney Pate threw the department under the bus. **J. Dross** – asks if the department had enough evidence to indict someone twice, falsify evidence to make a case, and go to court and then someone is not found guilty, asks who is going to be responsible for doing crime. **D. Dion** – defers to Chief. **R. Pelton** – asks if he can try to answer some of the questions, commenting he has never seen one falsified report when he reads them or when he does a report. He goes on to explain the process if someone committed perjury at Brentwood, explaining County would handle complaint of perjury. He reminds Mr. Dross the time he filed a complaint about 2 years ago, explaining it was at this time the department turned the investigation over to County. Further explaining his recollection of Officer Kapos' closing remarks in his report actually indicated the department had no probable cause. **J. Dross** – clarifies the department still went and indicted him, Mike Dross. **R. Pelton** – reiterates the police didn't indict him and explains a report based on the facts told to agency was completed, comments while someone could have lied, the department has no control of that. **J. Dross** – ask about if false testimony is given in court? **R. Pelton** – explains again indicating Ms. Dross clearly not going to take agency's word for it and suggests if she has a complaint about something that took place at the trial address it with the County Prosecutor, further explaining perjury is a material fact and comments attorneys at trial have an obligation to report the lie or perjury to the judge and comments this may of happened but he did not attend the trial. **D. Cleary** – comments the town paid for a private investigator to look into this and found something totally different. **R. Pelton** – comments that is accurate and explains the department turned the case over to County because it was a no win, explaining "we" lost the day Darren called to report. **D. Cleary** – comments "we" lost, indicating everyone sitting in the back of the room. **R. Pelton** – comments he is part of "we" as a resident. **M. Rolfe** – remarks he was never asked any questions. **R. Pelton** – comments, Office Kapos would know for certain but he recalls people refused to comment when asked. **M. Rolfe** – clarifies this occurred after the Staples Report. He further comments Mike Dross was left with approximately \$80,000 in legal bills, asking who is going to pay for that. **R. Pelton** – comments there is a process for that. **M. Rolfe** – comment the process is right here, indicating everyone sitting in the back of the room, further commenting "yes, we all paid for it." **P. Pelton** – comments not being privy to that information again commenting there is nothing at the local level that can be done for something that happened at the Brentwood. **D. Vieira** – comments finding is peculiar Lt. Pelton used the word perjury. **R. Pelton** – reminds Mr. Vieira he used that word at the Selectmen's meeting, they both attended. **D. Vieira** – comments perjury was mentioned at trial. **R. Pelton** – explains why he used that word and asks Mr. Vieira not to mince words, commenting he is just trying to answer questions and explains if there is still a complaint reminds everyone there is the County Attorney's Office or Attorney General's Office. **M. Dross** – questions if a complaint is made about an officer, the department isn't going to address it when at court an officer falsified a report. **D. Dion** – reminds Mr. Dross the department needs a written complaint to start a process. **D. Cleary** – explains she has a question about transparency related to the statistics the Chief reported on at tonight's meeting, explaining she cannot locate where this information is publically available, suggesting the department be more transparent. **R. Pelton** – explains that information is posted on the department's web site under the Raids Online link and explains further that monthly updates are provided to NW member. **D. Cleary** – comments she didn't see them on NW site. **S. Grange** – explains what is received each month and how the leaders distribute the information to their members. **D. Cleary** – comments she is not part of NW and

feels this is public knowledge. **L. Deeb** – comments she will attempt to post on the information Ms. Cleary is seeking on the town's web site. **R. Pelton** – clarifies the information exists on the department web site. **D. Cleary** – comments on the two times she was robbed and received no calls from police about what happened to her stuff and was told to check local pawn shops and that Chief Picard said the department doesn't investigate burglaries that are under \$10,000 and her case wasn't investigated. **D. Dion** – attempts to call the meeting back on topic and asks Ms. Cleary when the two incidents occurred. **D. Cleary** – comments 2 years ago. **D. Dion** – explains about the police department's recent use of Leads online. **D. Cleary** – comments on the passive treatment she received from the department. **D. Vieira** – comments on the police commission's minutes and agendas not being emailed to him. **G. Shaw** – agrees to look into. **L. Deeb** – comments she will look into it. **D. Dion** – attempts to wrap up the meeting when Ms. Cleary calls out for clarification if the Chief said in public he doesn't investigate. **D. Dion** – comments the Chief doesn't have to answer. **Chief** – replies "never". **D. Cleary** – exclaims "perfect".

D. Dion - moves the meeting to the last item on agenda. **G. Shaw** - motion to award Officer Jeff Mullaney a step increase from a Labor Grade 6, Step 11 to Step 12, **K. Robinson** – second. All were in favor. **Motion passes.**

G. Shaw - Motion to adjourn. **K Robinson** – second. **Motion passes**

Meeting closed at 7:34 pm.

Minutes approved by _____ on _____.