

**PORTSMOUTH POLICE COMMISSION**  
**MINUTES OF THE JULY 22<sup>nd</sup>, 2015 SPECIAL MEETING**

3:30 p.m. Public Session – Conference Room ‘A’, City Hall

John F. Golumb, Chairman  
Gerald W. Howe  
Brenna Cavanaugh

\*\*\*UNAPPROVED\*\*\*

- I. **CALL TO ORDER:** The July 22<sup>nd</sup>, 2015 special police commission public session was called to order at 3:32 p.m. in Conference Room ‘A’ at City Hall.

**Present during the public session:** Commissioners Golumb, Howe, and Cavanaugh, Chief Stephen DuBois, City Attorney Robert Sullivan, Admin. Manager Karen Senecal, Exec. Assistant Kathleen Levesque, members of the public and the press.

- II. **PLEDGE OF ALLEGIANCE:** Commissioner Howe led the Pledge of Allegiance.

- III. **PUBLIC COMMENT SESSION:**  
Public comment is limited to three minutes.

Ms. Jane Zill – 27 Shaw Road: Ms. Zill wanted to comment on the fact that public comment was not on the agenda. Ms. Zill said she has had people ask how they could be in contact with the special investigator regarding Comm. Cavanaugh, and requested the information be posted. She stated the city had just hired a public relations person, and was bewildered as to why the police department would need its own PR person.

Mrs. Ruth Griffin – Richards Avenue: Mrs. Griffin began by saying she had a Parliamentary procedure question, but first wanted to get to a recent survey of one of the housing developments in the city that revealed less than one third of the people living there have computers. She asked how the people in the housing development would find out when the police commission is meeting if one needs to go online or read the paper to know. Many don’t subscribe to newspapers; how could such people know when the city’s meetings are happening, and does the police commission have a fixed schedule of meetings?

Mrs. Griffin turned to her Parliamentary Point of Order question, which was: Since this is a special meeting, would this special meeting constitute the next regular meeting at which one could bring up items for reconsideration, or would the commission have to wait for the next regularly scheduled meeting to bring up an item for reconsideration? Mrs. Griffin turned to Atty. Sullivan for his input.

Before addressing the question, Attorney Sullivan took a moment to acknowledge that Mrs. Griffin is herself a former police commissioner who held that office during a tumultuous time as well, and it was a pleasure to see her present. He went on to explain that Parliamentary procedures are rules, not laws. They are not intended to determine the outcome of deliberation on any given measure. Their purpose to provide for the orderly conduct of business in approaching any issue. He observed the police commission is a bit of a special situation, because it is only a three person body. Every rule or procedure, whether it is reconsideration of motions, rescinding a motion, dealing with an item on the agenda or not on the agenda, etc. can be waived by a two-thirds majority. That means that any time two members of the commission agree to do something, it can be done.

He said that former Commissioner Griffin is correct that the next regular meeting would be the appropriate time to bring something back for reconsideration, and then only by someone on the prevailing side of the original vote. However, bearing in mind the police commission is only a three person body, and any rule can be waived with the vote of just two members, there are really a lot of options, and with just two votes, they can vote to do pretty much whatever needs to be done. A motion to reconsider, which would require two votes to pass, would bring the question back before the commission as though it had never been voted on previously. The commission could then deliberate on it and vote again. A motion to rescind the earlier vote would have the effect of nullifying the earlier vote, and the commission would have nothing before it for consideration. He said if the commission would advise where it wants to go with something, Attorney Sullivan said he would give his best counsel on how to proceed.

Chairman Golumb then asked if there was anyone else in the public who would like to speak.

Mrs. Griffin indicated she didn't believe the commission had addressed the issue of when they schedule their meetings.

(Mr. Joe Onosco had come up to the microphone as Mrs. Griffin had taken her seat and was asking the question about the scheduling of meetings from her seat.)

Mrs. Griffin asked if the commission has scheduled meetings and when they were scheduled.

Chairman Golumb asked Mr. Onosco if he could wait a moment while the Chair answered Mrs. Griffin's question. Chairman Golumb indicated the police commission meeting was the third Wednesday of the month, except for August, when the meeting will be on the 26<sup>th</sup>, and the meetings typically start at 6:00 p.m.

Commissioner Cavanaugh said she thought the commission was going to be starting at five. Executive Assistant Kathleen Levesque said that has not yet been finalized, and the Chair added that we were holding off on that change because we were considering moving the meetings to Conference Room 'A'. Mrs. Levesque indicated the meetings are posted on the bulletin board outside city council chambers, and on the police commission bulletin board in the outer lobby of the police station.

The Chair returned to Mr. Onosco and asked him to please go ahead with his comments.

Mr. Joe Onosco – 27 Shaw Road: Mr. Onosco asked if going forward, the meetings would be held at 6:00 p.m.. He felt that holding a meeting at 3:30 p.m. in the afternoon is not a democratic process. People are at work and cannot attend. He felt moving the meeting times around is not doing the commission any good. Mr. Onosco also referenced the last minute changes to the July 15<sup>th</sup> meeting agenda that produced some confusion with the agendas and felt that was not doing the commission any good.

There being no other persons who wished to comment, the Chair called the public comment closed, and indicated the commission would move on to the new business on the agenda.

Commissioner Cavanaugh said she would like to have a discussion on the subject brought up by Mrs. Griffin in her comments of how we might be able to make the information about meetings available at public housing locations. She asked if we had a community police officer designated to the housing authority or if the commission might come up with a way to make the information more readily

available to those members of public housing who do not have computers or read the newspaper.

Commissioner Howe felt it would be practical for the on-duty officer to go to the public housing locations and post the meetings.

Chief DuBois said he felt this approach would be a slippery slope, because then it is going to be the people of Gosling Meadows, and then its going to be Wamesit Place, and then into the neighborhoods. He said perhaps a better solution would be to establish a deadline for agenda items and then construct a contact list of people who could receive and disseminate the meeting information in Portsmouth Housing locations. If the commission does go ahead and makes it their internal policy that the deadline is further out than 24 hours, it would build in some time for the notifications to happen.

Commissioner Howe said since we have a good relationship with Craig Welsh (Director of Portsmouth Housing Authority), perhaps he can give us a group of contacts to get the information out.

Commissioner Cavanaugh asked if the city councilors have their packets delivered. Attorney Sullivan said the councilors have several options open to them for the delivery of their packets.

Chairman Golumb said we needed to explore all options. He indicated he felt PHA director Craig Welsh was a good person to start with to see what options are available. Maybe we could look at it from a couple of different options, including Commissioner Cavanaugh's idea.

Speaking from the audience, Mr. Joe Onesko said today's meeting is not online; and the schedule still says August 19<sup>th</sup>. There was some cross-communication among meeting attendees and amongst the commissioners around this general issue and the Chair asked Attorney Sullivan if IT Supervisor Alan Brady was available to come down to the meeting. Attorney Sullivan said that he was, and the request went up to IT for Mr. Brady to come down to the meeting.

In the interim, Chief DuBois said he would like to add a point to the previous discussion regarding getting meeting notifications out to Portsmouth Housing locations. His concern centered on the unpredictability of an officer's schedule once he/she comes on shift, this unpredictability could lead to meeting notifications not being posted in a timely fashion. The Chair asked Chief DuBois

to reach out to the Portsmouth Housing Director to get his input on how the notifications might be done.

IT Manager Alan Brady joined the meeting and addressed questions regarding the IT aspect of postings meetings on the city's website. He explained the sequence of events surrounding the posting of changes to the July 15<sup>th</sup> meeting agenda that took place on the day of the meeting; one of the key items being that he was out of the office.

On the subject of publishing a yearly schedule of police commission meetings, something that has been done for more than twelve years, Alan recommended the yearly schedule come down because there are now too many changes to that fixed document, and it is difficult to keep the document updated. Alan explained some recent webpage changes as well as the benefits of keeping everything in one location on the overall website. This would eliminate the risk of a change being made in one place and not another. The commissioners agreed to have the yearly schedule taken down.

Comm. Cavanaugh then asked Alan to address the issue with last week's multiple agendas. Mr. Brady went into further detail on the convergence of factors that resulted in the final version of the meeting agenda not appearing on the city's website immediately prior to the meeting, although the commissioners each had a copy of the final agenda in their binders.

Mr. Joe's Onosko commented again, re-emphasizing the two different agendas being available; one to the commission, one to the public. He also requested that public comment be available for each meeting so the public can weigh in on things like expenditures.

Chief DuBois asked the city attorney to speak to how the city council puts the agenda together. Attorney Sullivan explained there is a hard deadline for the submission of agenda items, in addition to carefully followed administrative procedures for the assembly of the agenda that basically involves coordination between the city manager and the mayor. He said nothing would get on the agenda at the last second because it would have to go through that process. The Chief suggested the police commission might look at developing similar protocols. Chairman Golumb said perhaps they could look at an agenda submission deadline of 48 hours before.

Commissioner Cavanaugh further questioned why the other commissioners were not informed of the two last minute items added to the agenda. She asked Commissioner Golumb as Chair, to explain why the other two commissioners were not notified of the late additions. Chairman Golumb said that he did not realize the agenda they were sent on Monday was not the same as the agenda they voted on until the Saturday after the meeting when he and Commissioner Cavanaugh spoke. He said he did not have an explanation. Chief DuBois suggested he might be able to explain some of the background on the additions to the agenda. The Chief said the expenses had been sent up to the city, and Judie Belanger, the city's finance director, kicked the three items back to the police department requesting they be approved by the commission. Because the commission was not going to meet again until the end of August, and these were expenses the department did not wish to wait a month to address, they were added to the agenda for the commission meeting later that day. Chief DuBois said the administration has done this in the past, and since the items in question all dealt with things the Chief would be able to speak to, they were added to the agenda. He said however, that if there was a set administrative rule in place establishing a deadline for agenda, i.e. 48-hours beforehand barring an emergency, that whole problem would not have happened.

Commissioner Golumb added one of the reasons the commission is considering moving to Conference Room 'A' is that it is a more user friendly room and lends itself to more community interaction. He asked Commissioner Cavanaugh if he had answered her question. She said she felt the Chief had answered it. Commissioner Howe added that in his long tenure as a police commissioner, regardless of who was on the commission, the goal has always been to look for ways to engage the public and anything that facilitates that he is in favor of. Commissioner Golumb said all three commissioners were in favor of that. He thanked Mr. Onosco and Ms. Zill for their comments and assured them there was no deception intended.

Mr. Onosco responded and said that it can't be the police captain's (Chief's) agenda, it has to be the commission's agenda. Commissioner Cavanaugh apologized to the public for not catching the late items, and explained there is a lot going on right now for the commission, and with the current climate in the city it was important that they rectify the matter. Chairman Golumb apologized for the inconvenience.

Ms. Zill, said it was not simply an inconvenience, it was robbing citizens of the opportunity to participate in the process. She added that the link to be able to

email all of the commissioners was not working. There was some discussion with IT Coordinator Alan Brady, and he said he would add that provision.

After addressing the commission's questions, IT Coordinator Alan Brady left the meeting.

#### **IV. NEW BUSINESS:**

##### **A. Police Commission**

Commissioner Golumb turned to the new business items on the agenda. He asked City Attorney Sullivan how to structure a motion to reconsider, or to structure another appropriate motion. Attorney Sullivan said his understanding of the special meeting was to reconsider two votes taken at the last meeting. Commissioner Golumb asked if Commissioner Cavanaugh needed to make the motion, or if he should just entertain a motion to reconsider. Attorney Sullivan said the Chair could just entertain a motion to reconsider by someone from the prevailing side, and both items would be back in front of the commission, and someone would have to make a further motion to deal with each of them.

Commissioner Cavanaugh asked if it had to be the motion that was listed in the agenda. The city attorney said no, it could be any motion you think is appropriate. Commissioner Cavanaugh said that based on the new information we learned today, she was not comfortable with the events surrounding the motions.

**Commissioner Cavanaugh moved** to rescind the appropriation of funds for PR and training for John Gulfoil that was voted on and approved by the commission on 7-15-15.

**Seconded by Commissioner Howe.**

Chief DuBois asked if this was a motion to reconsider or a motion to rescind. Commissioners Howe and Cavanaugh answered, 'rescind'. Chairman Golumb asked if there was any discussion.

Attorney Sullivan indicated now would be the appropriate time for discussion.

**Discussion:** Commissioner Howe directed a statement to the city attorney, saying his understanding was, to 'rescind' means the item goes away. The city attorney answered that was correct. He went on to explain if the motion to rescind passes,

the commission's prior vote is nullified and there is no further business in front of the commission.

Commissioner Howe then said his understanding of to 'reconsider' means it would remain on the table. Attorney Sullivan said it would bring the original vote back in front of the commission. Commissioner Howe turned to Commissioner Cavanaugh and reconfirmed that her motion was to rescind. She answered 'yes'. Commissioner Howe stated that he seconded it.

Commissioner Golumb said he just wanted to have some discussion as to why the commissioners were rescinding the appropriation. Commissioner Cavanaugh said she had no further comment outside her remarks prefacing the motion. The Chair asked what other new information came out at this meeting. Commissioner Cavanaugh interjected the new information that came out was, the IT department received the new information an hour and fifteen minutes before the meeting. Commissioner Golumb continued, suggesting the commission should have some discussion on the merits of the actual appropriation. Commissioner Howe said that was the reason he seconded it, because it was posted late. He said he understood why it wasn't on the posted agenda, but felt the matter could be addressed this way.

At this point someone from the audience asked if the commissioners might speak up as the audience was having trouble hearing them.

Addressing City Attorney Sullivan, Commissioner Howe said the vote to rescind passed, so the item goes away, but he wanted to know if it could be put on the agenda again at a future time.

Attorney Sullivan said to keep in mind the purpose of Parliamentary procedure is to provide for the orderly conduct of business. Once the commission has dealt with an order of business and it is behind you, it's not supposed to come back. Business is supposed to move forward, not go back. So once an item of business has been dealt with, it can't come back in front of you, barring something special happening. The something special might be a motion to suspend the rules; it might, as former commissioner Griffin referred to, be to reconsider an item, but in the ordinary course of business, it couldn't just come before you again. The Chair would rule that out of order.

Commissioner Howe questioned further that if the commission votes to rescind, it's like it never happened. The city attorney indicated that the vote to rescind is itself an action, and quite a final one.



Commissioner Golumb sought clarification that the motion that was on the agenda was to reconsider the appropriation, but now it is being brought forward as a motion to rescind the appropriation.

Attorney Sullivan said the way the pieces fit together on this is, you're required to have an agenda that identifies the pieces of business to be dealt with. Once you have an item on the agenda, then anything that is germane to that agenda item would be appropriate to address. If something is not in any way related to items on the agenda, that item would be inappropriate to address in any way. In this case, a motion to reconsider is on the agenda; a motion to then rescind that same item would clearly be germane to the motion on the agenda, and therefore is entirely appropriate to be brought forward and voted on.

Commissioner Golumb said he was going to put forward for discussion that the commissioners consider the merits of the appropriation for funds. He said he understood about the 3:45 p.m. posting, but he was of the understanding that what was going to be reconsidered tonight was the appropriation of funds, not rescinding the motions. Commissioner Golumb addressed his fellow commissioners saying the motion has been put forward and seconded, but he didn't feel it was an appropriate action. He felt the commission needed to have a dialogue and not just rescind it without a dialogue.

There was a brief silence. Commissioner Cavanaugh said she had no additional comment.

Commissioner Golumb said just for clarification for his understanding, the reason the commissioners are rescinding the appropriation is because the item was posted on the agenda at 3:45 p. and the agenda that we had, the public didn't have, and therefore the commission is rescinding the appropriation. Commissioner Howe said that was why he seconded it. He explained that he seconded it because of the confusion about addressing that, and it wasn't on the agenda that was posted. He said he thought it was unfortunate that it wasn't, he understood why it wasn't, but he thought it could be addressed this way.

**Action: Commissioner Golumb called the question:** All in favor of rescinding the funds?

**On a Voice Vote:** The motion passed by a two-third's majority.

**Commissioner Golumb stated for the record:** "The Chair votes 'no'."

The Chair moved to item two on the agenda.

**Action: Commissioner Cavanaugh moved** to rescind the appropriation of funds for a consulting group to address the city council regarding the deficiencies of the current PPD building, which was voted on and approved by the commission on 7/15/15.

**Seconded by Commissioner Howe for discussion.**

**Discussion:** Commissioner Cavanaugh asked Karen Senecal what the cost was and what the name of the firm was. Ms. Senecal said the cost would be \$3,000 and the name of the firm is McClaren, Wilson, and Lawrie. The commissioner asked if this was the same firm that conducted the space needs study, and Karen indicated it was not. Commissioner Cavanaugh suggested that since Lavallee Brensinger, (the firm that did the space needs study) has already done the work and identified deficiencies in the building at a cost of \$25,000, instead of spending the \$3,000 for the firm that Karen mentioned, why don't we just bring Lavallee Brensinger back since they had already done the space needs study.

The Chairman said this matter was covered with the council at the May budget work session, and asked Karen to speak to the matter. Karen explained it was covered at both meetings with the council in May. The company we used for the space needs study also contracts out for their law enforcement projects because it is a specialized area. What Mr. McClaren would be giving the council has nothing to do with the needs of the department, nothing to do with a space needs study. We asked him if he would come to educate the commission, the council and the public on the specialized needs of a law enforcement facility. He has been chosen by the International Association of Chiefs of Police to provide trainings for law enforcement personnel undertaking such a project because of his expertise in the field. Mr. McClaren has an edited version of the intense 3-day training department personnel attended, and since police staff had already seen what his presentation was like, we thought it would be a good idea to bring him here for the council's benefit, and that is what we put before the council in our budget presentation and in our Q&A period afterward. So this is something that has already been reviewed with the council.

Commissioner Cavanaugh confirmed that it would be one person that would come; that the \$3000 is for him to come here to speak. Karen said that amount is for his fee and travel costs, and she suggested that when you are spending ten to twenty million dollars on a building, investing in an expert to come and inform you regarding all the components that have to be considered, was a prudent investment.

Karen said the presentation would be televised, so the archive of it would become a valuable tool going forward, as this would be a multi-year project. Any new commissioners or councilors could be brought up to speed on the whole project quickly by viewing the presentation made by Mr. McClaren.

Commissioner Howe asked the Chair if he (Comm. Howe) might address the matter. He then said he would have to vote in favor of rescinding it. Attorney Sullivan indicated the motion before the commission is to reconsider. The commissioner corrected himself and said would have to vote to reconsider to be consistent. He voted to rescind on item number one, because it was not on the agenda; item number two was also not on the agenda, and consequently, he would have to follow his heart and soul that motivated his vote on item one.

Commissioner Cavanaugh said Commissioner Howe brought up some excellent points. She said she was not sure how she would be voting on this motion. She then said she will not be supporting this motion for the sake of consistency. Commissioner Howe was unsure of the intent of her statement. Commissioner Cavanaugh said she would not be. Attorney Sullivan spoke up to clear up the confusion. He said the motion before the commission is to reconsider. If this motion passes, then the question of whether or not to appropriate funds for the item listed will be back in front of the commission and that would be the time to take the action just stated.

There was still some confusion among the commissioners as to where things were. Attorney Sullivan suggested this might be a time to call for a vote on the motion to reconsider.

**Action: Commissioner Golumb called the question** to reconsider the allocation of funds for the consulting group to address the city council regarding the deficiencies of the current PPD building, which was voted on and approved by the commission on 7/15/15.

**On a Voice Vote:** The motion passed by a two-thirds majority.

There was some confusion among the commissioners as to where things were in the process, and they looked to Attorney Sullivan. The city attorney explained that the motion was now back in front of the commission, and now would be the appropriate time to take the action the commission had just discussed.

**Action: Commissioner Golumb again called the question** to reconsider the allocation of funds for a consulting group to address the city council

regarding the deficiencies of the current building, which was voted on and approved by the commission on 7/15/15.

**On a Voice Vote:** The motion passed unanimously.

Attorney Sullivan said the question is now before the commission. There was a brief silence. The city attorney suggested someone should make a motion.

**Action: Commissioner Howe moved** to appropriate the funds to have this person come and educate the council, commission, and the public regarding the deficiencies of the current PPD building, which was voted on and approved by the commission on 7/15/15, and what was needed in a new police facility.

**Seconded by Commissioner Cavanaugh.**

**The Chair called the question, “All in favor?”**

**On a Voice Vote:** Commissioner Cavanaugh replied, “I call discussion.”

**Discussion:** The Chair asked if there was any discussion. Commissioner Howe said he felt Karen made an excellent point that \$3000 is a small sum to invest in the planning for a 25 million dollar project and \$3,000 is statistically insignificant. The Chair felt it was money well spent. Commissioner Cavanaugh said she agreed with Commissioner Howe, but stated again that we spent \$25,000 on a space needs study and they showed us the deficiencies. She felt that same architectural firm could accomplish what we would be bringing Mr. McClaren in to do. She said spending \$3,000 didn't sit well with her because we already know this facility is not up to standards for a modern police department.

She returned to Commissioner Howe's earlier statement that based on consistency, she is uncomfortable supporting the allocation because of the dialogue surrounding the first motion. She said both votes are just too questionable. She went on to say we've never seen a contract for either of these two motions. If we had the contracts and could look through them and really take a look at the numbers things might have played out differently. She stated she is not supporting a motion to appropriate the funds.

The Chair turned to Karen Senecal indicating he had seen her hand up, and asked if she had anything. Karen responded by saying she just wanted to make it clear this company is not coming in to clarify anything in terms of the space needs study that was done. That was a space needs study which was a separate undertaking. What they did was analyze the existing building and then project out what our needs would be in the next ten to twenty years. That's what that \$25,000 paid for. This

particular consultant would come and would just talk about police facilities. A lot of people don't understand what a specialized facility a law enforcement building is. Mr. McClaren talks about everything from the outside to the inside. He goes all the way down to the configuration of the evidence lockers. This is not a space needs study in any way; it is completely separate. Ms. Senecal said she learned so much at the intensive three-day training. She said that she has been in the police department for a very long time, and she learned so much that she simply was not aware of; things like bullet proof glass needing to be installed so many feet up from the ground to cover whether someone is sitting or standing. There are many intricate components the lay person is simply not aware of that need to be taken into account in the design of a police facility, and that is why they usually cost more than a school or an office building. Mr. McClaren would not be talking about any space needs. It would be an education in these kinds of things so the public understands why such a building is so much more expensive and everybody understands what the money is being spent for.

Commissioner Cavanaugh said she understood about the space needs study, but she still felt the architectural firm that did the study identified deficiencies. Karen said that firm identified what the space needs were likely to be later; i.e. you have storage now literally in a dirt rock room and what a proper storage room would require space-wise. Space needs is completely different than educating the public on what all the different components are that need to be part of a police facility.

Commissioner Cavanaugh said the architectural firm the city paid \$25,000 for were the architects for the new Manchester Police Department and the Commissioner had toured that facility. She said it meets or exceeds standards around the country and she is confident they know exactly what they're doing. She said she was not taking value away from Mr. McClaren, but appropriating \$3,000, she felt this architectural firm would be entirely capable of conveying the needed information to the public.

Karen Senecal suggested the commission could vote to rescind the allocation for Mr. McClaren and the department could send out three quotes, and potentially Lavallee Brensinger could be selected.

The Commissioner asked if we would be putting out an RFP. Ms. Senecal indicated we would not. For any cost under \$5,000 we can obtain three quotes. She noted there was no guarantee that Lavallee Brensinger would be the firm selected if we receive approval to build. That process would go out to an RFQ and there would be many firms coming in to bid on that project.

The Chair indicated his understanding was, the information Karen was giving the commission is the same information she gave at last weeks' commission meeting. Karen said that was correct. The Chair also said his understanding from the budget presentation to the council where they first asked for this allocation, was to provide for the education of the council, as they are the ones who will be voting whether or not to approve a new police facility. Karen said yes; at that presentation we mentioned that we had gone to this training, and that we wished get a condensed version of the training for the city councilors.

Chairman Golumb said if there was nothing further, he would like to call the question. Commissioner Howe asked the Chair to state what the motion was that they would be voting on as there had been a lot of discussion.

Chairman Golumb – said the motion is to reconsider...The city attorney indicated that had already been handled. The Chair said the motion was to allocate the money.

There was a brief silence.

**No motion was brought forward; the Chair called the question:** “All in Favor?”

**On a Voice Vote:** There was no response.

**The Chair asked:** “All opposed?”

**On a Voice Vote:** Commissioners Howe and Cavanaugh: “Aye.” Chairman Golumb said, “The Chair votes “Aye.” Commissioner Howe asked if the Chair's ‘aye’ meant he was also opposed. Chairman Golumb said no; he meant he was in favor of appropriating the money. The motion to approve the allocation of funds to have Mr. McClaren come and educate the council, commission, and the public regarding the specialized nature of a law enforcement facility which was voted on and approved by the commission on 7/15/15, failed by a two-thirds majority.

Commissioner Golumb turned the meeting over to Chief DuBois.

## **B. Police Chief**

Chief DuBois addressed the subject of the CALEA accreditation process and gave some background leading up to this point. He said a lot of the success of the process depends on having a full time accreditation manager. This was strongly

advised by the chiefs of police who came to speak to the commission at their round-table discussion.

The Chief said we do not currently have someone who can manage the process, and he would like permission to go to the city council and ask for a supplement to the budget to fund a captain to be the accreditation manager. CALEA representative retired chief Paul McMillan said the accreditation manager needs to have the horsepower to accomplish the mission. The Chairman asked when the chief would be wanting to do this. Chief DuBois said perhaps in September. But first he would have to go to the city council to get the approval for this position, because if we can't get this position, he didn't think we could complete the accreditation work. Commissioner Howe asked if this person would be an outside hire. Chief DuBois said it would not be, but the promotion would create a cascading effect, and we would then have to backfill a new line officer. The Chief said he would request a supplement close to \$69,488, which would include the health insurance; if the city manager thinks the health costs could come from the health stabilization fund, the number would be closer to \$50,238.

The Chair sought confirmation of his understanding that if we were not able to get the supplement from the council for this position, then the Chief felt we could not mover forward with the CALEA process because we would not have the full-time person in place to oversee the accreditation standards process.

Commissioner Cavanaugh said she agrees with the Chief the process requires a full time person, but she feels the commission should consider whether or not this is the best way to go. She said she personally would like time to consider whether there is another way to do it. She requested more time to do research and revisit the operational report of a few year's ago that recommended flattening the rank structure. She felt a more prudent approach would be to vote to approve hiring a captain as the accreditation manager at the next meeting, and not at this one, and in the interim to do some research on other possible ways of approaching this.

Commissioner Howe clarified that at this time, Chief DuBois is just asking for permission to approach the council. Attorney Sullivan said that he felt anything that is in line with the Roberts Report and addresses issues highlighted in that report, the council would be open to.

**Action: Commissioner Howe moved** the commission approve the Chief approaching the city council to see if they will support a supplemental

appropriation for the hiring of a captain to manage the CALEA accreditation process full-time.

**Seconded by Commissioner Cavanaugh.**

Chief DuBois motioned that he had a question for the commission. He said if he goes to the council with this question, they are going to want a cost figure before they vote. They are going to want to vote on a specific number. The Chief said that if he gives the council a figure, and the council votes to approve that figure, but the police commission then votes not to authorize that hire/promotion, where does that leave the Chief?

Attorney Sullivan said his advice here is that if the commission approves this motion, and the Chief now has the authority to begin this process, the first step would be for the Chief to approach the city manager, who controls the budget; he added it is called the city manager's budget, and he will have ideas about how the council should be approached on this.

Commissioner Howe said, and Commissioner Cavanaugh agreed, that he thinks it should be the commission that goes to the council. It is the commission that is pursuing CALEA certification, it was the commission's budget, and it should be the commission that goes to the city council seeking the supplemental appropriation, with the Chief present.

Commissioner Golumb asked the city attorney what he thought. The city attorney repeated his counsel that he believes the first step is to approach the city manager on how to approach the city council with this matter. The council will of course appreciate some advance notice that the request is coming. Commissioner Howe said he thought the chief could talk to the city manager, as one department head to another department head.

Chairman Golumb indicated the motion was on the floor. Commissioner Howe said it was, and had been moved and seconded.

**Commissioner Golumb asked:** "All in favor?"

**On a Voice Vote:** The motion passed unanimously to approve Chief DuBois approaching the council to see if they will support a supplemental appropriation for the hiring of a captain to manage the CALEA accreditation process full-time.



Commissioner Howe then asked Chief DuBois to post the contact information for the investigator looking into the anonymous letter regarding Commissioner Cavanaugh on the website. Commissioner Cavanaugh asked if that would be an Alan Brady issue. Chief DuBois said he would contact Alan Brady with the information.

**V. NEXT MEETING:**

Chairman Golumb indicated the next regular meeting is planned for August 26<sup>th</sup>. He said the commission talked about starting at 5:00 p.m., but he felt they should hold off on making a change in the start time for future meetings. The August 26<sup>th</sup> meeting would start at 6:00 p.m.

**VI. MOTION TO ADJOURN**

There being no further business before the commission,

**Commissioner Cavanaugh moved** to adjourn the July 22<sup>nd</sup>, 2015 special meeting of the commission.

**Seconded by Commissioner Howe.**

**On a Voice Vote:** The motion passed unanimously to adjourn the July 22<sup>nd</sup>, special meeting of the commission at 4:52 p.m.

*Kathe*

*Respectfully Submitted By Kathleen Levesque, Executive Assistant*

*Reviewed By Commissioner Cavanaugh, Clerk of the Commission*

*Brenna Cavanaugh*