

PORTSMOUTH POLICE COMMISSION
MINUTES OF THE JANUARY 12TH, 2016 POLICE COMMISSION MEETING

3:30 p.m. Public Session – Eileen Foley Council Chambers, City Hall

Brenna Cavanaugh, Chair
Joseph J. Onosko
Joe Plaia

UNAPPROVED

- I. CALL TO ORDER:** The January 12th, 2016 monthly police commission meeting was called to order at 3:40 p.m. in the Eileen Dondero Foley Council Chambers.

Commissioner Cavanaugh explained the provision in Roberts' Rules of Order for the conduct of business in the absence of a duly elected Chair.

ACTION: Commissioner Onosko moved to appoint Commissioner Cavanaugh Chairwoman pro tem for the portion of tonight's meeting up to the election of officers as provided for in the city charter.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to appoint Commissioner Cavanaugh Chairwoman pro tem for the portion of tonight's meeting up to the election of officers as provided for in the city charter.

ACTION: Commissioner Onosko moved to go into non-public session as provided for by RSA 91-A:3, II(a) and II (c).

Seconded by Commissioner Plaia.

On a Roll Call Vote: The motion passed unanimously to go into non-public session as provided for by RSA 91-A:3, II(a), and II (c) as follows:

Chair pro tem Cavanaugh: "Aye".

Commissioner Onosko: "Aye".

Commissioner Plaia: "Aye".

The commission went into non-public at 3:45 p.m.

The chair called the public session back to order in the Eileen Dondero Foley Council Chambers at: 5:06 p. m.

Present during the public session: Commissioners, Cavanaugh, Onosko, and Plaia, Mayor Jack Blalock, City Manager John Bohenko, City Attorney Robert Sullivan, City Clerk Kelli Barnaby, Chief David Mara, Acting Deputy Chief Frank Warchol, Admin. Manager Karen Senecal, Exec. Assistant Kathleen Levesque, sworn officers from the New Hampshire State Police, Portsmouth and Manchester police departments, and members of the public and the press.

II. PLEDGE OF ALLEGIANCE: Chief Mara led the Pledge of Allegiance.

Action: Commissioner Onosko moved to accept the minutes of the December 9th, 2015 meeting.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to accept the minutes of the December 9th, 2015 meeting, with Commissioner Plaia abstaining as he was not a sitting commissioner at the time of the meeting.

Action: Commissioner Onosko moved to accept the minutes of the January 4th, 2016 meeting.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to accept the minutes of the January 4th, 2016 meeting.

Action: Commissioner Onosko moved to suspend the rules to move to Item #2 under: “New Business, A. Police Commission, Swearing in of interim Chief of Police David J. Mara.”

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed unanimously to suspend the rules to move to Item #2 under: “New Business, A. Police Commission, Swearing in of interim Chief of Police David J. Mara.”

City Clerk Kelli Barnaby administered the oath of office to David Mara, making him the interim Chief of Police in Portsmouth.

Commissioner Onosko asked Chief Mara if he would introduce some of the visiting state and city officials from other municipalities who had come to attend Chief Mara’s swearing in.

III. PUBLIC COMMENT:

Mr. Jim Splaine – Oriental Gardens. Mr. Splaine spoke about open government. He urged the commissioners to do everything possible to conduct their business in public. He reviewed the aspects of the right-to-know law that allow for non-meetings, and urged the commission not to do it.

Brendon DuBois – Resident of Exeter – Mr. DuBois took each commissioner to task individually over public statements and actions made or taken by them in contradiction to prior statements and actions made or taken by them. Mr. DuBois also said false statements were made in the press against the previous Chief of Police, Stephen DuBois, by Commissioner Onosko. Brendan DuBois is a brother of former Chief DuBois.

IV. NEW BUSINESS:

A. POLICE COMMISSION:

1. Election of Officers:

ACTION: Commissioner Onosko moved to nominate Commissioner Cavanaugh to the position of Chair for 2016.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to nominate Commissioner Cavanaugh to the position of Chair for 2016. Commissioner Cavanaugh accepted the nomination.

Commissioner Onosko moved to nominate Commissioner Plaia as Clerk of the Commission.

Seconded by Commissioner Cavanaugh.

On a Voice Vote: The motion passed to nominate Commissioner Plaia as Clerk of the Commission for 2016.

Roll Call of the Election for Chair of the Commission for 2016:

Commissioner Onosko: “Aye”.

Commissioner Plaia: “Aye”.

Roll Call of the Election for Clerk of the Commission for 2016:

Commissioner Onosko: “Aye”.

Commissioner Cavanaugh: “Aye”.

Commissioner Cavanaugh was elected Chair of the Commission for 2016.

Commissioner Plaia was elected Clerk of the Commission for 2016.

3. Selection by lot of a police commissioner to serve a one-year term as a member of the City's Board of Ethics, should the Board of Ethics be convened. The lot fell to Commissioner Cavanaugh to serve on the city's Board of Ethics should it be convened.
4. Discussion of a work process to craft rules and orders for commission proceedings and a framework of SOPs for the conduct of commission business. Commissioner Plaia indicated this was a priority with the commission as it has never been done. He said they hoped to have a work session next week, and will schedule as many work sessions as it takes to get this project done. There was some discussion about a regular date to meet, and the commission decided on the second Tuesday of the month, subject to the availability of the council chambers. It was also decided the deadline for the submission of agenda items would be noon on Wednesday of the week prior to the meeting date.

The commission scheduled a work session to begin work on the Rules and Regs. for Wednesday, January 20th at 1:00 p. m.

5. **Action: Commissioner Onosko moved** to accept the resignation of Communications Supervisor Gil Emery, effective December 31, 2015.
Seconded by Commissioner Plaia.
On a Voice Vote: The motion passed to accept the resignation of Communications Supervisor Gil Emery effective December 31, 2016.

B. CHIEF OF POLICE:

1. Recognition of Ms. Claudia LeBlanc for her many years of service doing blood draws in support of the Portsmouth Police Department's sobriety checkpoints.
2. Recognition of Portsmouth Explorer Cadet Acadia Spear, for her quick thinking response to a medical emergency that occurred during a school club function.
3. Recognition of Officer Erik Widerstrom for his work in solving the string of Mobil Mart thefts.
4. Recognition of Detectives Rochelle Jones and Rob Munson for their "Santa & Reindeer" charity work during the 2015 Christmas Season.

The Chair took this opportunity to recognize Acting Deputy Chief Warchol for coming into work on the Saturday evening of the Portsmouth Police Relief Association's Christmas Party, so that a couple of officers who were scheduled to

work could attend the party. The Portsmouth Police Relief Association is the benevolent organization of Portsmouth officers and employees.

5. Grant & Donations:

Action: Commissioner Plaia moved to accept a donation in the amount of \$34.77 from Dr. David Ferland in support of the Police Explorer Cadets.
Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to accept a donation in the amount of \$34.77 from Dr. David Ferland in support of the Police Explorer Cadets.

Action: Commissioner Plaia moved to accept a donation in the amount of \$129 from Dr. David Ferland in support of the Police Explorer Cadets.
Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to accept a donation in the amount of \$129 from Dr. David Ferland in support of the Police Explorer Cadets.

Action: Commissioner Plaia moved to accept a donation in the amount of \$850 from The Friends of the South End in support of the Police Explorer Cadets.

Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to accept a donation in the amount of \$850 from The Friends of the South End in support of the Police Explorer Cadets.

Action: Commissioner Plaia moved to accept a donation in the amount of \$500 from the Newburyport Five Cents Savings Bank.

Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to accept a donation in the amount of \$34.77 from Dr. David Ferland in support of the Police Explorer Cadets.

Action: Commissioner Plaia moved to accept the grant from New Hampshire Highway Safety in the amount of \$13,798 for DWI patrols.

Seconded by Commissioner Onosko.

Commissioner Cavanaugh had some questions regarding the use of the funds which were addressed by Acting Deputy Chief Frank Warchol.

On a Voice Vote: The motion passed to accept the grant from New Hampshire Highway Safety in the amount of \$13,798 for DWI patrols.

The Chair pointed out the motion needed to be amended to include the words, “and forward to the city council for their action.”

Action: Commissioner Plaia moved to accept the grant from New Hampshire Highway Safety in the amount of \$13,798 for DWI patrols and forward to the city council for their action.”

Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to accept the grant from New Hampshire Highway Safety in the amount of \$13,798 for DWI patrols and forward to the city council for their action.”

6. Financial Report: Admin. Manager Karen Senecal gave the commission an overview of our financial status at this point in the fiscal year, and a briefing on Karen’s other areas of responsibility. A discussion on our false alarm fees resulted in a decision to keep the current fee structure and revisit it at the end of this fiscal year.
7. Letters of Thanks and Appreciation from Outside the Department: Chief Mara read from the following letters of appreciation regarding the work of our officers:
 - a. A letter of thanks from Mr. Tod O’Dowd for the actions of Officer Scott Pearl.
 - b. A letter of thanks from Ms. Cynthia Shanley, the Supper Club Coordinator at Living Innovations for the dedicated service of Officers Drew, McCarthy, and Krans and Explorers Lexi McNally, Acadia Spear, Jobin Chavez, and Tyler Bartlett over the past year.

V. PATROL DIVISION - Contained in the commission packet.

VI. COURT OFFICE REPORT – Confidential report contained in the commission packet.

VII. MISCELLANEOUS – No Miscellaneous Items

VIII. NEXT MEETING: The next police commission meeting is tentatively scheduled for Wednesday, January 20th, 2016, from 1:00 p.m. to 4:00 p.m.

IX. MOTION TO ADJOURN

There being no further business before the commission, the chair asked for a motion to adjourn.

Commissioner Onosko moved to adjourn the January 12, 2016 meeting of the police commission.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to adjourn the January 12, 2016 police commission meeting at 5:50 p.m.

Kathe

Respectfully Submitted By Kathleen Levesque, Executive Assistant

Reviewed By Commissioner Cavanaugh, Clerk of the Commission

Brenna Cavanaugh