

**PORTSMOUTH POLICE COMMISSION**  
**MINUTES OF THE MARCH 22<sup>ND</sup>, 2016 MONTHLY POLICE**  
**COMMISSION MEETING**

3:30 p.m. Public Session – Eileen Dondero Foley Council Chambers

Brenna Cavanaugh, Chair  
Joseph J. Onosko  
Joe Plaia

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

- I. CALL TO ORDER:** The March 22<sup>nd</sup> 2016 monthly police commission meeting was called to order at 3:35 p.m. in Council Chambers.  
(A video archive of the entire meeting can be viewed online by going to the city's website and clicking "Channel 22", and then clicking on "Archived 2012, 2013, 2014, 2015, and 2016 meetings.")

**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:

Commissioner Cavanaugh: "Aye".

Commissioner Onosko: "Aye"

Commissioner Plaia: "Aye"

The commission entered non-public session at 3:36 p.m.

**The Chair called the public session back to order at 5:37 p.m. in the Eileen Dondero Foley Council Chambers with the following people present:** Commissioners Cavanaugh, Onosko, and Plaia, Chief Mara, Acting Deputy Warchol, Admin. Manager Karen Senecal, Exec. Assistant Kathleen Levesque, members of the public and the press.

**I. Acceptance of the Minutes**

The Chair asked if there were any amendments to the minutes of the meeting or the hearing held on February 16<sup>th</sup> or February 17<sup>th</sup> respectively. There were no amendments to these minutes.

**Action: Commissioner Onosko moved** to accept the minutes of the February 16<sup>th</sup> meeting and the February 17<sup>th</sup> hearing.

**Seconded by Commissioner Plaia.**

**On Voice Vote:** The motion passed to accept the minutes of the February 16<sup>th</sup> meeting and the February 17<sup>th</sup> hearing.

**II. Public Comment:** (The following is a brief summary of each person's comments and represents the speaker's personal opinion. The entire meeting can be viewed online by going to the city's website and clicking "Channel 22", and then clicking on "Archived 2012, 2013, 2014, 2015, and 2016 meetings.")

Mr. Brendan DuBois – Resident of Exeter, brother of the former police chief.

Referencing Roberts Rules of order, Article 7, Section 43, "Decorum", Mr. DuBois said that at the March 8<sup>th</sup> work session while he was speaking during the public comment portion of the meeting, Commissioner Onosko interrupted him with "a loud outburst of laughter", in violation of this section of Robert's Rules. He requested the chair remind her fellow commissioners to respect the public and not to react in a rude manner during the public comment section. The Chair did so. Commissioner Onosko replied that he wasn't sure Mr. DuBois statements were true. Mr. DuBois directed the commissioner to the two minute mark on the video tape of the meeting.

Mr. DuBois again reviewed the timeline of the retirement announcement by the Exeter chief of police and the town's speedy response in naming a new chief. He contrasted the response time of Portsmouth's Police Commission.

Ms. Jane Zill – 27 Shaw Road. Ms. Zill commended the commissioners and Chief Mara for their work. She stated the previous speaker was confused; she said he did not realize there was not even a full commission operating until January when he referenced whatever happened in November. Ms. Zill went on to reference Kate Millett's, book, "Sexual Politics", which she said was published in 1960 or the 70's. She spoke about the work's definition of the word 'patriarchy', and said retired chief Stephen DuBois used the word patriarchy in his remarks upon assuming command of the department in 2012. Ms. Zill spoke about respect for women and for diversity, and expressed the hope these things would be kept in mind as the commission conducted its search for a new chief. She referenced the female officers already on the force that deserve respect. Ms. Zill also

spoke about traffic & safety in the coming years while the waste water treatment plant construction is underway. She indicated she has an issue with the Water Country traffic, and the Webber/Goodwin case and the question of settling the current bill from Attorney David Eby.

As the Chair began to close the public comment session, Mr. Brendan DuBois returned to the podium on a point of order, saying he was mentioned in the remarks by the previous speaker and had a right of reply. He indicated he was not confused, the meeting he referenced was the November 13<sup>th</sup>, 2015 meeting; all three commissioners were present.

### **III. New Business**

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

##### **1. Personnel Items that Require Action:**

**Action: Commissioner Plaia moved** to appoint Detective Adam Kozlowski to Master Patrol Officer Status, effective March 20, 2016, his ten-year anniversary date.

**Seconded by Commissioner Onosko.**

**On a Voice Vote:** The motion passed to appoint Detective Adam Kozlowski to Master Patrol Officer Status, effective March 20, 2016, his ten-year anniversary date.

**Action: Commissioner Onosko moved** to appoint Officer Jordan Wells to permanent status, effective December 15<sup>th</sup>, 2015, his one-year anniversary date.

**Seconded by Commissioner Plaia.**

**On a Voice Vote:** The motion passed to appoint Officer Jordan Wells to permanent status, effective December 15<sup>th</sup>, 2015, his one-year anniversary date.

**Action: Commissioner Plaia moved** to appoint Officer Max Webber to permanent status, effective December 15, 2015, his one-year anniversary date.

**Seconded by Commissioner Onosko.**

**On a Voice Vote:** The motion passed to appoint Officer Max Webber to permanent status, effective December 15, 2015, his one-year anniversary date.

##### **2. Commissioner Cavanaugh:**

Responsibility of the police commission to discharge its fiduciary responsibility to approve grants in an informed and responsible

manner. The Chair asked Karen about the grant process, and requested she make the commission aware of each grant solicitation by giving them a copy, so when or if it comes before commission for approval, they are already aware of the content and purpose.

3. **Commissioner Plaia:**

- a.) Update on the status of the commission's search for a permanent chief of police. Commissioner Plaia briefly reviewed activity to date on this. He said he revisited all of the information available on the firms previously identified, and added a firm. The commission did research and conducted interviews over the past two Fridays. The Chair said they reached out to a total of 6 firms, 1 firm declined participation, 1 firm was too busy to take on the project, so the commission is going to choose from the remaining four firms. There was further discussion on different aspects of each of the individual companies. During this discussion, the competing firms were referred to by the alphabetical letters, "A", "B", "C", and "D", instead of their respective business names.

**Action: Commissioner Onosko moved** the commission hire Company "C" as the headhunter group to find a permanent chief for the city of Portsmouth.

**Seconded by Commissioner Plaia for discussion.**

There was a brief discussion on the differences between Company "C" and Company "D".

**Seconded by Commissioner Plaia for passage.**

**On a Voice Vote:** The motion passed to hire Company "C" as the headhunter group to find a permanent chief for the City of Portsmouth.

- b.) Body cameras: Commissioner Plaia said the public did not have a great opportunity at the last meeting to comment on this issue. He said Karen has done some good research on this. Commissioner Plaia said he did not feel Portsmouth has the kinds of issues that call for body cameras. He doesn't think it is an item for us right now, but it is fair to say certainly this is coming in the future, and there is legislation on the table at the state level. He invited Karen to speak about some of the costs. This discussion was for information only.

- c.) Proposed rules for governing the police commission –  
Commissioner Plaia has compiled a rough draft for the other commissioners to review prior to the next public work session. He suggested having the draft posted for the public to review prior to the next work session.

Commissioner Onosko announced changes to time of the April 12<sup>th</sup> meeting. The work sessions are being moved from 10:00 a.m. to 5:00 or 5:30 p.m. The commission asked for the draft rules document to be posted on line. Commissioner Plaia asked for a more work session type of set-up for these sessions so the commission could work at a table and not have to be up at the dais. Kathe indicated the meetings may wind up in another location.

#### **IV. Chief's Report**

1. Officers Seth Tondreault, Lynn Thomas, and Brian Lewis were recognized for brainstorming the “Five-O Food Drive” last December, and making it happen.
2. Informational Items:
  - a. Retirement and Sale of K-9 “Steel”. Officer Scott Pearl will be stepping down as a K-9 officer at the end of this shift rotation. We will be doing a process for another K-9 officer. Because of the difficulties of transferring the dog, which has been trained to respond to Scott, the department has transferred ownership of Steel to Scott Pearl.
  - b. Update on Uber in the city. The city’s transportation ordinance is in effect. We will be enforcing the transportation ordinance not just for Uber but for all taxis as well. Chief Mara explained this enforcement takes a lot of resources, and we have to balance our priorities.
  - c. Donations & Grant
    1. A donation of a \$30 Blitz Park gift card by the Police Commission to the Portsmouth Police Trading Card initiative as a program incentive prize.
    2. A donation of \$300 from Mr. Jason C. Page, to provide two scholarships for the 2016 Explorer Cadet Academy.
    3. A \$400 donation from Mr. & Mrs. David Brown to provide 2 scholarships for the 2016 Explorer Cadet Academy.
    4. A grant in the amount of \$9,926.40 from the NH Office of Highway Safety for Sustained Traffic Enforcement Patrols (STEP).

**Action: Commissioner Plaia moved** to accept the three donations and the Grant and forward to the city council for their action.

**Seconded by Commissioner Onosko.**

**On a Voice Vote:** The motion passed to accept the three donations and the grant and forward to the city council for their action.

Commissioner Onosko asked the Chief about the launch of PPDTV, and the Chief explained something about the format and the idea behind doing it. Chief Mara said we are open to suggestions from the public on what they would like to see. He would like to expand the programming to include police department news. Chief Mara thanked the public television folks for their help and support in getting this up and running.

The Chief also spoke about his meeting with Brinn Chute, the city's Senior Coordinator. On May 10<sup>th</sup> and 25<sup>th</sup>, the Chief, available officers, and interested senior will gather at the South Mill Pond for a 'senior walk'. This will be a good opportunity for Portsmouth senior citizens to get to know their police officers. We will see how well these events go and perhaps will plan additional walks.

Commissioner Plaia asked if the Chief would talk about the Explorer Awards Night on March 31<sup>st</sup>. Chief Mara said this would be a good opportunity for any member of the public to come in and talk to the officers and talk to the cadets. Individual cadets will receive recognition for exceptional work and performance over the past year.

## **V. Financial Report:**

Karen said the department is bringing back the annual report, and she has been working on developing the format and content for that.

She briefed the commission on the status of the budget at this waypoint in the fiscal year.

Karen also asked the commission what they wanted to see on a monthly basis by way of reports.

## **VI. Miscellaneous Business:**

Commissioner Onosko said he would like to suspend the rules and add an agenda item. The Chair said it would not be possible to add an agenda item at this time, but the commissioner could bring up an item under

miscellaneous business if it was germane to the police commission or police department business.

Commissioner Onosko said the Seacoast Media Group has submitted a right-to-know request to look at Atty. Eby's bill for the Webber/Goodwin case. He feels the commission would be remiss if they didn't review that document and decide if all the charges are germane. He said he would like to review the bill now, and would like to insure the four elderly friends of Geraldine Webber could receive the amount they have asked for. He would like to see if the police commission could review the bill.

The Chair asked if the police department would have the portion of the funds due them reduced as a result of such an action. Commissioner Onosko said the City of Portsmouth would get a lesser amount when the funds are disbursed, but it is unclear which city department this would affect.

Chairwoman Cavanaugh said she had no objection. Commissioner Plaia said he also had no objection to Commissioner Onosko talking to the city attorney. He said it was his understanding the monies would come out of the police department's portion, and that would go against Mrs. Webber's wishes. He indicated he would be traveling as of the following day for the next thirteen days, so any emergency meeting of the commission would have to be via phone.

#### **VII. Motion to Adjourn:**

The Chair gave the date and currently scheduled time of the next police commission meeting as April 12<sup>th</sup>, 2016 at 5:00 p.m.

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

**Action: Commissioner Plaia moved** the March 22<sup>nd</sup>, 2016 police commission meeting be adjourned.

**Seconded by Commissioner Onosko.**

**On a Voice Vote:** The motion passed to adjourn the March 22<sup>nd</sup>, 2016 police commission meeting at 6:40 p.m.

END OF MEETING