

PORTSMOUTH POLICE COMMISSION

**MINUTES OF THE MAY 10TH, 2016
MONTHLY POLICE COMMISSION MEETING**

5:30 p.m. Public Session – Eileen Dondero Foley Council Chambers

**Brenna Cavanaugh, Chair
Joseph J. Onosko
Joe Plaia**

*****UNAPPROVED*****

I. CALL TO ORDER

The Chair called the May 10th, 2016 monthly police commission meeting to order at 5:32 p.m. in the Eileen Dondero Foley 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.")

Present during public session: Commissioners Cavanaugh, Onosko, and Plaia, and members of the public.

II. PLEDGE OF ALLEGIANCE – Commissioner Onosko led the Pledge of Allegiance.

III. NEW BUSINESS

1.) Commissioner Cavanaugh:

Recommendation by the city's ethics board the commission withdraw its request for an advisory opinion or in the alternative, to resubmit the request without employee names.

The Chair gave background on why the opinion was sought. Commissioner Cavanaugh is the police commission's representative on the city's ethics board, and was at the ethics board meeting. She explained if the commission withdrew its request for an advisory opinion, the person who originally brought the matter to their attention would be free to bring the matter to the ethics board directly, if they chose.

After meeting with the ethics board, the Chair was of the opinion the person should go directly to the city's ethics board, vs. having the commission redraft the letter without the employee names and resubmit it. She stated the matter was not a complaint or an accusation.

The Chair said she would entertain a motion to withdraw the commission's request for an advisory opinion from the city's ethics board.

Action: Commissioner Onosko moved to withdraw the commission's request for an advisory opinion from the city's ethics board.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to withdraw the commission's request for an advisory opinion from the city's ethics board.

- 2.) **Consideration of a new one-year contract with interim Chief Mara for one year (through July 12, 2017), and drop the 'interim' designation from his title reference.** The Chair asked if there was a motion for discussion.

Action: Commissioner Plaia moved the commission consider a new one-year contract from July 12, 2016 to July 12, 2017, and that the word 'interim' be removed from his title reference.

Seconded by Commissioner Onosko.

The commission had a brief discussion on the motion, and then invited the public in attendance to come forward and sit at the commissioners' work table and give their input. Five people came forward.

After hearing the input from people at the table, the Chair called the question regarding the motion on the table.

On a Voice Vote: The motion passed unanimously to consider a new one-year contract from July 12, 2016 to July 12, 2017, and that the word 'interim' be removed from his title reference.

- 3.) **Update on the May 13th hearing regarding the commission's request to review the Eby bill.** Noting the time, the Chair asked Commissioner Onosko to give a brief update on the status of the upcoming hearing.

Commissioner Onosko said the hearing was to determine if a legislative body has the right to review Attorney Eby's bill for legal services. He said city attorney Robert Sullivan will be at the hearing representing and supporting the commission.

Commissioner Plaia said he had met with Attorney Sullivan on this matter and asked for his support. Commissioner Plaia corrected the record that Attorney Sullivan would not be representing the commission; the commission would be appearing pro se, as agreed to in the last commission meeting. Commissioner Plaia commended Attorney Sullivan for agreeing to go and support the police commission.

4.) **Update on all pending litigation that can be disclosed to the public:**

As indicated earlier, the Chair said Attorney Sullivan has responded to Attorney Androphy's demand letter stating the demand is declined.

5.) **Review the newly created rules and procedures for the police**

commission. It was the Chair's recommendation this item be tabled until next month. Commissioner Plaia agreed and explained the main reason for tabling this is he had originally drafted these rules and order with the understanding the commission derived its powers from RSA 105:C. In meetings and discussion with city attorney Robert Sullivan, the city attorney explained the commission was formed by an amended city charter under 49:B. Commissioner Plaia has gone back to do his research before amending and presenting the existing draft.

The Chair asked if there was a motion to table the review of the draft rules and procedure.

Action: Commissioner Plaia moved to table the review of the draft rules and procedure.

Seconded by Commissioner Onosko.

On a Voice Vote: The motion passed to table the review of the draft rules and procedure.

IX. NEXT COMMISSION MEETING – The next commission meeting will be Tuesday, May 24th, 2016, in the Eileen Dondero Foley Council Chambers, with the usual 4:30/5:30 p.m. start time.

XI. MOTION TO ADJOURN

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

Action: Commissioner Onosko moved to adjourn the May 10th, 2016 police commission meeting.

Seconded by Commissioner Plaia.

On a Voice Vote: The motion passed to adjourn the May 10th, 2016 police commission meeting at 6:34 p.m.

Kathe

*Respectfully Submitted By Kathleen Levesque, Executive Assistant
Commissioner Plaia, Clerk of the Commission*

Joe Plaia