



Chief Anthony F. Colarusso, Jr.
Chairman

**State of New Hampshire
POLICE STANDARDS & TRAINING COUNCIL
ARTHUR D. KEHAS
LAW ENFORCEMENT TRAINING FACILITY & CAMPUS
17 Institute Drive — Concord, N.H. 03301-7413
603-271-2133 FAX 603-271-1785
TDD Access: Relay NH 1-800-735-2964
Approved Minutes**



Donald L. Vittum
Director

December 15, 2015

The 461st meeting of the New Hampshire Police Standards and Training Council was called to order at 9:05 by Chairman, Chief Anthony Colarusso, in classroom one at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, New Hampshire.

Members Present: Chairman, Chief Anthony Colarusso, Jr.; Vice Chairman, Commissioner William L. Wrenn, New Hampshire Department of Corrections; Judge Sawako Gardner, 10th Circuit District Division, Portsmouth; Attorney General Joseph Foster; Executive Major David Parenteau, New Hampshire State Police; Sheriff David Dubois, Strafford County; Chief William Hart, Londonderry Police Department; Sheriff Douglas Dutile, Grafton County; Judge James Carroll, 4th Circuit District Division, Laconia (arrived at 9:12 a.m. and exited at 10:45 a.m.) Chief David Cahill, Sunapee Police Department and Chief Enoch Willard, Manchester Police Department.

Members Absent: Ms. Paula Wall, Crisis Center of Central New Hampshire; Dr. Ekaterina Hurst, Department of Health and Human Services; President Susan Dunton, Community College System of New Hampshire.

Staff Present: Director Donald Vittum, Chief Timothy Merrill and Captain Benjamin Jean

Guests Present: Chief Timothy Julian, Springfield Police Department, Lee Calloway, Springfield Selectboard member.

Chairman Colarusso reviewed some changes in the meeting agenda. He alerted Council members to the packet of addendum items that had been added to the meeting's agenda.

Each Council member had been given the standard financial form to be completed and sent to the state.

Approval of Minutes

Sheriff Dutile moved for the Council to approve the minutes of November 17, 2015. Following a second by Chief Cahill, the voice vote of the Council was unanimous, with Judge Carroll abstaining from the vote.

Four of the five hearings on the December agenda had been continued until January, the one remaining was subject to discussion on an agreement proposed during an informal conference.

Financial Report

Captain Jean summarized the financial status of Police Standards and Training for the Council members. By reviewing finance from the past biennium, the projection was that PSTC expenses could be covered up until the end of June 2016.

PSTC received a bill from SWCAP, State Wide Cost Allocation Plan. The SWCAP fee is what PSTC pays in order to be part of the state financial management and state treasury. SWCAP had provided an estimate of their bill at budget time, however, the bill that was received was *double* the amount that was estimated.

Motion by Commissioner Wrenn, seconded by Chief Cahill, for Director Vittum to draft a letter for Chairman Colarusso's signature to SWCAP, to dispute the amount of the bill issued to PSTC. The Council vote was unanimous in favor of the motion.

Financial Crisis at PSTC

Council members discussed the financial crisis, if there was a deadline to decide whether or not to cancel an upcoming academy, what progress had been made with the legislature to find means of funding Police Standards and Training Council.

Director Vittum noted that this agency should be all set through June 2016; however, revenue here is a moving target depending upon when deposits are made. The financial status of PSTC is tracked every day. Currently the staff level at the agency is dangerously low, meeting bare minimum.

Further discussion ensued amongst council members, to let the legislators and governor work on the funding issue, if there would be a "drop dead date" to decide whether or not to cancel an academy due to the financial crisis. Members suggested that there should be concise language used when communicating about the funding crisis. Chairman Colarusso announced that he was scheduled to do during an interview on New Hampshire Public Radio this week, and intended to explain the situation.

Wayne Defeo, New Hampshire Department of Corrections

Mr. Defeo had been originally scheduled for a hearing this date. Chairman Colarusso summarized the informal conference held on December 10th, regarding Mr. Defeo and his arrest for domestic assault. The charge had been nol prossed, upon confirmation of continued counseling by Mr. Defeo.

Chairman Colarusso's suggestion for council members was that there be no further action if there were no incidents after a year.

Motion by Sheriff Dubois, seconded by Chief Hart, to affirm Chairman Colarusso's decision; no further action if there were no incidents after a year. The Council vote was unanimous in favor of the motion.

CONSENT CALENDAR

Mark Pawlitschek, Hanover Police Department
(DOH: 12/21/15) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Jesse Colby, Henniker Police Department

(DOH: 11/20/15) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy.

Norman Houle, New Hampshire Department of Justice

(DOH: 11/20/15) Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy, as well as HGN/SFST and DV Laws.

Requests for Extensions

Note: Extensions granted until the first council meeting following the fitness testing for the requested Academy, and, if testing is successful, to the first council meeting following the end of the requested Academy.

Full-Time Police Officer Academy

168th Academy August 31, 2015 to December 18, 2015, entrance fitness test August 17, 2015

169th Academy January 4, 2016 to April 22, 2016, entrance fitness test December 21, 2015

170th Academy May 2, 2016 to August 18, 2016, entrance fitness test April 18, 2016

171st Academy August 29, 2016 to December 16, 2016, entrance fitness test August 15, 2016

Part Time Police Officer Academy

271st Academy, February 2, 2016 to May 6, 2016, entrance fitness test January 23, 2016

272nd Academy, August 13, 2016 to November 18, 2016, entrance fitness test July 30, 2016

Dimitrios Lazos, Loudon Police Department (DOH: 04/28/15 Not Part-time certified) Will be granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that the officer must remain actively enrolled in the 169th academy and may continue working only in the direct presence of a certified officer.

Aaron J. Mounsey, Allenstown Police Department (DOH: 08/10/15 Part-Time certified) Will be granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that the officer must remain actively enrolled in the 169th academy.

Scott McGowan, Meredith Police Department (DOH: 09/14/15 Not Part-time certified) Will be granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that the officer must remain actively enrolled in the 169th academy and may continue working only in the direct presence of a certified officer.

Eoin Stapleton, Whitefield Police Department (DOH: 07/20/15 Part-Time certified) Will be granted the extension until the first council meeting following the fitness testing for the requested academy, and, if testing is successful, to the first council meeting following the end of the requested academy with the stipulation that the officer must remain actively enrolled in the 169th academy.

Ongoing Physical Fitness Testing

Requests for Fitness Testing Extension

2014 Fitness Date

The following officers were granted a six month medical extension for fitness testing:

Rodney Durand, New Hampshire Department of Corrections

Michael Feinauer, New Hampshire State Police

2015 Fitness Date

The following officers were granted a six month medical extension for three year fitness testing:

Nicholas Rinaldi, Henniker Police Department

Robertson Murray, New Hampshire Department of Corrections

Paul D. Cote, New Hampshire Department of Corrections

James Yerardi, Dover Police Department

Andre Smith, Manchester Police Department

Derek Brown, Hillsboro Police Department

Michael Gilman, Rockingham County Sheriff's Department

Timothy Therrien, Sunapee Police Department

Adam Seligman, Northfield Police Department

Nicholas Drew, Newmarket Police Department

Christopher Corey, Plymouth Police Department

Kevin Baron, Gilford Police Department

Stacey Fiske, Merrimack County Sheriff's Department

Addendum Items (post closing date)

William Russell, Jr. Lyndeborough Police Department

Request for certification based upon prior training and experience Will be granted certification upon successful completion of the medical exam, entrance fitness test, and the Law Package of the Full-Time Police Officer Academy

Glenn Chislett, Boscawen Police Department

Request for certification based upon prior training and experience Will be granted certification upon successful completion of the medical exam, entrance fitness test,

James Wilson, New Hampshire Liquor Enforcement

Was granted a six month medical extension for fitness testing 2014 fitness date

Melanie Locke, New Hampshire State Police

Was granted a six month medical extension for fitness testing 2015 fitness date

(END OF APPROVED CONSENT CALENDAR)

Motion to approve the consent calendar by Chief Cahill, seconded by Chief Hart, including the addendum items, council vote was unanimous in favor with the following recusals:

Commissioner Wrenn, officers from the New Hampshire Department of Corrections

Chief Colarusso, officer from the Dover Police Department

Chief Cahill, officer from the Sunapee Police Department

Major Parenteau, officers from New Hampshire State Police

Chief Willard, officer from Manchester Police Department

Attorney General Foster, officers from the New Hampshire Attorney General's Office

Non consent, skipping over an academy

Denis O'Sullivan, Charlestown Police Department (DOH: 10/04/15 Part-Time certified) requests extension through the end of the 170th Full-Time Police Officer Academy.

Motion by Chief Cahill, seconded by Commissioner Wrenn to allow Denis O'Sullivan to skip the 169th Academy, and attend the 170th Academy beginning on May 2, 2016. The council vote was unanimous in favor of this motion.

Michael Beaulieu, Springfield Police Department, RSA 188-F:27 III-j, three year fitness

Chief Timothy Julian of the Springfield Police Department was in attendance with Lee Calloway, a selectboard member from the town of Springfield. They had brought forth a request for an RSA 188-F:27 III-j waiver for Officer Michael Beaulieu. Officer Beaulieu's three year fitness test was due in 2013, and he had been granted four six-month medical extensions since 2013. Chief Julian had provided PSTC with documentation from Officer Beaulieu's physician describing his illness and limitations.

Council members discussed the elements required for the specific waiver.

Motion by Sheriff Dutile, seconded by Chief Cahill, to grant the RSA 188-F:27 III-j waiver requested by the agency to allow Michael Beaulieu until January 31, 2016 to pass his 2013 three year fitness test. The council vote was unanimous in favor of the motion.

General

Chief Merrill spoke to Council members about requests for medical extension for fitness testing that may be received prior to December 31, 2015. In the past, Council has accepted the requests, allowing the officers to work, and the medical extension requests were placed on the January Council meeting agenda for review and approval.

Motion by Commissioner Wrenn, seconded by Chief Hart, to accept medical extension requests for fitness testing up until December 31, 2015, the Council vote was unanimous in favor of the motion.

Chief Cahill asked staff about scheduling fitness testing up until the end of the year; Captain Bodanza said staff could not conduct three year fitness testing on academy entrance testing date, but that staff at PSTC may be able to accommodate individuals with a written request to Director Vittum for a three year fitness test by December 31st if an instructor on staff was available. Director Vittum confirmed that staff cannot accommodate “drop in’s” for fitness testing.

Correspondence

Chairman Colarusso acknowledged correspondence from Hillsborough County Police Chief’s Association, and the Northern New England Police Accreditation Coalition.

Federal Law Enforcement with New Hampshire Arrest Powers

The New Hampshire Senate has introduced a bill regarding the authority of federal law enforcement making arrests in New Hampshire. The bill is modeled after the law that is used in Vermont. Chief Merrill explained the bill was asking for limited authority for arrests, for the officers to receive training by Police Standards and Training Council, and that the federal law enforcement officers being considered for the certification not be required to complete background investigations or fitness testing.

Council members discussed the bill at length. Sheriff Dutile agreed to invite the representative in to speak with Council members at the January 26, 2016 Council meeting.

Laurie Notifications

Staff at PSTC received cc’d copies of three Laurie notifications sent from the Attorney General’s Office. Council members agreed that PSTC was not a repository for Laurie, and the letters would be returned to the Attorney General’s Office. PSTC has received information on Laurie status of officers in the past, and the letters were returned immediately.

Granite State College

Granite State College has offered to give a five thousand dollar scholarship to the top member of each graduating academy class.

Motion by Commissioner Wrenn, seconded by Chief Cahill to accept the offer of the five thousand dollar scholarship from Granite State College; and for the Director and staff to develop a policy that outlines what Granite State College criteria would be for a recipient of the scholarship. The Council vote was unanimous in favor of this motion.

Judge Carroll exited the meeting at 10:43.

Addendum Agenda, non consent items

Motion to go into nonpublic session to discuss two addendum items for an employment medical issue by Chief Cahill seconded by Chief Willard, roll call vote was unanimous in favor of the motion.

At 10:45 the Council began a nonpublic session.

Motion to exit the nonpublic session by Judge Gardner, seconded by Chief Cahill, the roll call vote was unanimous in favor of the motion.

At 10:50 a.m. the Council was back in public session.

Motion to seal the minutes of the nonpublic session by Commissioner Wrenn, seconded by Chief Hart, the Council vote was unanimous in favor of the motion.

Motion by Chief Hart, seconded by Sheriff Dutile to grant a one year waiver for fitness testing for Eric Robertson. The council vote on the motion was unanimous.

Motion by Chief Hart, seconded by Sheriff Dutile to grant a one year waiver for fitness testing for Allison Vachon. The council vote on the motion was unanimous.

Item 9 Correspondence from Jen Bailey is tabled until the January meeting
Items 10 through 15 were recognized as correspondence.

Motion to begin a nonpublic session by Attorney General Foster to discuss a personnel matter, the motion was seconded by Chief Hart, and the roll call vote was unanimous in favor of the motion.

At 10:55 the Council entered a nonpublic session.

Motion to exit the nonpublic session by Attorney General Foster, seconded by Chief Hart, the roll call vote was unanimous in favor of the motion.

At 11:00 a.m. the Council was back in public session.

Motion to seal the minutes of the nonpublic session by Chief Cahill, seconded by Judge Gardner. the Council vote was unanimous in favor of the motion.

Motion to by Chief Cahill, seconded by Sheriff Dubois to notify the chief of the agency and the county attorney's office, the Council vote was unanimous in favor of the motion.

The council members recessed at 11:00 to speak with staff at PSTC regarding the financial crisis and the future of the agency.

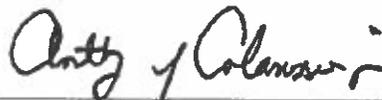
At 11:30 the council meeting was back in session.

Next Meeting Date/Adjournment

The next meeting of the New Hampshire Police Standards and Training Council will be held on January 26, 2016, at nine o'clock in the morning.

Upon a motion by Commissioner Wrenn, seconded by Sheriff Dutile, the Council voted unanimously to adjourn the meeting at 11:30.

Respectfully submitted,



Chairman Anthony F. Colarusso, Jr.