

Temple-Greenville Police Joint Board

MINUTES OF NONPUBLIC SESSION

DATE:5/2/2016

PRESENT:

Carla Mary Y N

Douglas Reardon Y N

George Willard Y N

Gail Cromwell Y N

MOTION TO ENTER NONPUBLIC SESSION MADE BY: Gail Cromwell

SECONDED BY: Carla Mary

SPECIFIC EXEMPTION RELIED UPON AS FOUNDATION FOR THE NONPUBLIC SESSION:

RSA 91-A:3II(a) - The dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him unless the employee affected (1) has a right to a meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

RSA 91-A:3II(b) - The hiring of any person as a public employee.

RSA91-A:3II(c) - Matters that, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

RSA 91-A:3II(d) - Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

RSA 91-A:3II(e) - Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any body, board or agency for the purposes of this subparagraph.

ROLL CALL VOTE:

THE BOARD ENTERED INTO NONPUBLIC SESSION AT:

Carla Mary Y N 6:43 AM PM

Douglas Reardon Y N

George Willard Y N

Gail Cromwell Y N

OTHER PERSONS PRESENT DURING THE NONPUBLIC SESSION:

Chief James McTague

TEMPLE-GREENVILLE POLICE JOINT BOARD – MINUTES OF NONPUBLIC SESSION

BRIEF DESCRIPTION OF THE SUBJECT MATTER DISCUSSED AND FINAL DECISIONS:

The board entered non-public session to discuss Chief McTague's coverage of details, and his regular schedule.

C. Mary reported that people have been asking about Chief McTague working details during working hours.

Chief McTague responded that this issue had been discussed numerous times by previous boards. He reported that he has always kept time cards, and regularly works his 40 hours of coverage in addition to any details. He stated that while on details, he handles calls from the department, and makes call backs to residents. He is also at the station before and after the details, and during lunch breaks. If necessary, he will shut down a detail to respond to calls. He reported that his average work week for 2016 was 44.5 hours in January, 45 hours in February, 39.5 in March, and 40 in April.

He quoted from 2008 minutes, in which a board member had suggested that he was double dipping. He reported that an audit of his time cards at that time, by former board member John Kieley showed clearly that no "double- dipping" or illegal activity had occurred. At that time, Chief McTague contacted his attorney, who addressed the issue in a letter to the Joint Board. Chief McTague presented this letter to the current board.

D. Reardon asked how detail money is allocated. Chief McTague stated that of the \$60.00 billed to the company, \$40.00 goes to the officer, and \$20.00 goes to the detail fund. (Payroll taxes and NH Retirement are paid from this \$20.00.) D. Reardon asked if the Chief got \$40.00 per hour on top of his regular salary. Chief McTague confirmed this.

D. Reardon asked why the department did not use lower tier people to cover details. Chief McTague responded that there aren't currently enough officers to cover all the details. (Some officers choose not to work any details.) Chief McTague stated that the board can vote not to cover any details, but not allowing one person to do details would be a disciplinary action.

C. Mary asked how long the current cutting of trees on Rte 31 would last. Chief McTague responded that the company estimated about a month longer in Greenville. He stated that the department only does details for abutting towns, if requested by a neighboring department.

D. Reardon asked if other officers are getting an opportunity to work these details. Chief McTague responded that all officers who want details are able to work them.

G. Willard asked where details were required. Chief McTague informed the board that the current detail policy requires details for all of the commuter roads in both towns including Routes 45, 101 and 31, West Road and General Miller Highway, and other streets and roads that are considered hazardous. He stated that the department sometimes gets requests to cover roads that aren't required by the policy, if a company feels that there is a need for it.

Chief McTague stated that he is very careful not to double dip. He stated that details are good for everyone, as there are extra officers in town, they provide safety to the companies doing work and the driving public. C.

Mary stated that they also made money to purchase equipment for the department. The current balance of the

detail fund is unclear, because of recent withdrawals to cover payroll. Elizabeth roughly estimated it at \$18,000.00. A balance will be available at the June meeting.

D. Reardon asked if there was a tendency to “load up” on details in the last year before retirement, to increase retirement payouts. Chief McTague responded that the legislature had made changes to the retirement policy, and that as of June 1st, detail pay would not count toward retirement. (previously, the three highest years excluding the last year, including detail pay, were used to formulate retirement payouts.) There is an ongoing discussion at the state level, because if NH retirement is not being deducted from detail payroll, social security must be, but people in the NH Retirement system are not eligible to collect Social Security.

D. Reardon thanked the Chief for clearing up questions.

NOTE: RSA 91-a:3(III) Minutes of proceedings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that the divulgence of the information likely would affect adversely the reputation of any person other than a member of the Board, or render the proposed action ineffective. In the event of such circumstances, information may be withheld until, in the opinion of a majority of the members, the aforesaid circumstances no longer apply.

Shall the minutes be publicly disclosed? Y N

MOTION TO RECONVENE THE PUBLIC SESSION MADE BY: C. Mary

SECONDED BY: G. Cromwell

ROLL CALL VOTE:

Carla Mary Y N

Douglas Reardon Y N

George Willard Y N

Gail Cromwell Y N

THE BOARD RECONVENED PUBLIC SESSION

AT: 7:01 AM PM

Date: 5/2/2016

Minutes recorded by: Elizabeth Maxcy-Humphrey

Carla Mary

Douglas Reardon

George Willard

Gail Cromwell