

MINUTES

October 25, 2005

The 341st meeting of the NH Police Standards and Training Council was called to order at 9:07 a.m. by Chairman Michael L. Prozzo, Jr., of the Sullivan County Sheriff's Department, in the John D. Morton conference room at the Police Standards and Training Facility in Concord, New Hampshire.

Members Present: Sheriff Scott A. Carr, Carroll County Sheriff's Department; Chief William L. Wrenn, Jr., Hampton Police Department; Chief Gregory C. Dodge, Epping Police Department; Chief Peter P. Morency, Berlin Police Department; Chief Michael J. Magnant, Portsmouth Police Department; Associate Justice Stephen H. Roberts, Dover District Court; Associate Justice Norman E. Champagne, Manchester District Court; Colonel Frederick H. Booth, NH State Police; Attorney General Kelly A. Ayotte; Charles Annal, Deputy Commissioner and designee of Commissioner William G. Simonton of the NH Community Technical College System and Les S. Dolecal, Assistant Commissioner and designee of Commissioner Stephen J. Curry, Department of Corrections.

Staff Present: Director Keith H. Lohmann, Assistant Director Robert B. Stafford, Paralegal Cassandra Erickson, and Secretary Denise Crocker. PSTC Counsel Senior Assistant Attorney Nancy Smith arrived at 10:30 a.m.

Commissioner Stephen J. Curry, Department of Corrections, was excused from the meeting due to prior commitments.

Guests: Chief James H. McTague, Temple-Greenville Police Department; Officer Donald Valente, Temple-Greenville Police Department; Roger Beauchamp, Winchester Police Department, Sgt. Daniel Repucci, Winchester Police Department.

Approval of Minutes

Following a motion by Colonel Booth, seconded by Deputy Commissioner Annal, the Council voted unanimously to accept the Minutes of August 30, 2005 and the Minutes of September 20, 2005 as presented. Sheriff Prozzo noted that in the August minutes the date in the header on the subsequent pages did not match the first page; Denise Crocker advised him that she had noticed the error after the agenda packages had been mailed and the mistake had already been corrected.

Director's Report

August Revenues. The August revenue figures were in and showed a 4.8% increase over last year figures.

Corrections Academy. The Corrections Academy graduated October 7th with 36 recruits which was the same number the Academy began with. That was also the second Corrections Academy at which everyone who took the PT test passed it. Historically this is excellent. Unfortunately that was not true of the current Academy, there were four or five who did not pass the PT test.

Police Academy. We lost one recruit in Week 7 due to an Honor Code violation. The department was consulted. The Director asked for a copy of the psychological evaluation for that recruit. The recruit was asked to leave and in the letter of dismissal it was noted that if the recruit intended to reenter another academy session it would not be permitted until he had passed a psychological evaluation that was acceptable to the Council.

Hiring. We have a psychological evaluation and a conditional offer of employment on another LETS candidate. That test is going to be given October 26th. We have two other applications that we are currently processing. The Director hopes we will be able to fill our vacancies in-state and not have to seek elsewhere or reduce the positions to part-time. Council members asked about what the next step would be if these candidates did not fulfill the requirements for hire and the Director responded that he would then be looking at reducing one or more of the positions down to part-time.

CALEA. There are about six states, of which New Hampshire is one, which are part of the CALEA Alliance Program and apparently CALEA feels that a couple of the states are not keeping with the intent of the program. New Hampshire is not one of them; but without regard to that, CALEA has drafted amendments to the Alliance Rules which they have submitted to PSTC for approval signature. The Director has some concern with the way the amendments are written because one of the stipulations in the contract is that PSTC will adhere to all of the CALEA core standards.

One of the core standards in CALEA is the 16.3.3 standard which has to do with training for police officers and in particularly part-time police officers in New Hampshire. When New Hampshire started their accreditation program and, to this day, the first level recognition now called New Hampshire Recognition includes all of the CALEA standards except 16.3.3 because departments with part-time officers typically cannot meet that standard. The rationale that the Council used was that we wanted to have something for small departments to be able to recognize themselves so we deleted 16.3.3 from that first level. A strict reading of the new CALEA agreement would not allow us to have that level of flexibility to leave 16.3.3 out for New Hampshire Recognition. We had a meeting with NEPAC at which the Director also invited Steve Monier, the US Marshall who was a CALEA Commissioner years ago and who is intimately aware of the CALEA program, and Mike French who is also very involved. Mike French had some discussions with the staff at CALEA who indicated to him that the intention of the staff was, as it was written in the contract, not to allow our program to continue without

enforcing 16.3.3, which in essence would kill our program, because without that waiver of 16.3.3, 90% of the departments within the state could not participate by definition.

After a good deal of discussion and input from Marshall Monier, we decided the best course of action was to sign the agreement, include a check and put in the letter of how supportive we are of CALEA and state that we had signed the contract but we were also making one small amendment that we are sure that they would agree to and the would be the change to 16.3.3 and hope that they go along with it. If they do not, then the choices are to go down to Fairfax and meet with the CALEA staff directly; and if that doesn't work to attend the next national CALEA Conference in November in Nashville and try to meet with the Commissioners to see if they will rule in our favor. The Director's recommendation is, therefore, to sign the agreement as stated above and to see what happens. In the event that CALEA does not waiver the 16.3.3 standard, then the Director sees no point in going further.

Chief Wrenn felt that this is ludicrous. This standard is the only reason that Hampton cannot become nationally certified. Chief Wrenn feels that if PSTC goes through the appeals process and is not successful then New Hampshire should no longer participate in CALEA's recognition program but should develop its own recognition program even if it is a mirror image of CALEA's program. Chief Wrenn agrees that the Director should first pursue the possibility of getting CALEA to relax the standard to meet New Hampshire's needs. Colonel Booth also agrees with Chief Wrenn.

The Director noted that with every step we take with CALEA they get more stringent and the costs increase. The Director believes, however, it is an important program because it does professionalize what the departments do; it allows the departments to put the CALEA logo on their letterhead which is readily recognized and that does have its advantages.

Audit Report. The Director has drafted his response to the Auditor's report. The Auditors went from 21 findings down to 18. We concurred in part or totally on 17 of the recommendations. We did not concur on the finding on the federal grant which was discussed at the last meeting. The Director wrote a non-concurrence with that finding and the auditors responded to that non-concurrence. The Auditors are asking us to go before the Joint Fiscal Committee on November 16th but that is not confirmed at this point in time.

Annual Report. One of the findings of the Auditors was that the Annual Report for 2003-2004 was very late. It is now complete and the Council Members should have their copies. Its tardiness was due in part to Jeanette Evans retiring and the long delay of getting a new support person on board and up to speed. The 2004 – 2005 Annual Report is about 90% complete and it is anticipated that it will be completed by the November meeting.

HR218. The Director received a call from Representative Pepino on Thursday, November 20, 2005, indicating he had received a call from Legislative Services and that they needed language for the LSR yesterday (Monday, October 24th) and asked the Director to file the language for HR218. The Director drafted the language which was handed out to the Council for review. The Director noted it needed to go to Legislative Services today and requested the Council to make any changes appropriate.

Judge Champagne asked if this is what Representative Pepino was drafting and the Director indicated that this is what the Director was drafting in response to Representative Pepino's request. The Director had spoken with the Representative about the direction the Council was headed and the Representative seemed to be in general agreement with that. In discussing with the Representative that we were planning to do qualifications for New Hampshire retirees and basically leave out-of-state people to their own devices of going back to their own state, telephonically he was in agreement with that. The Director feels if Representative Pepino disagrees with what is filed, he will then file some amending language.

Les Dolecal asked if the calculation for retirees included Corrections officers. The Director noted it would include probation/parole officers but it would not include corrections officers because they do not meet the definition of law enforcement officers under the statute.

Edits to the language:

- (1) Judge Roberts asked that the following be added **“Members of the Council”**, Council employees,..... and in the third line at the word **“by”** such person.
- (2) Attorney General Ayotte requested that the words **“or should have known”** in the fourth line be removed.

Colonel Booth asked if this statute passed is PSTC prepared to carry out the requirements of the statute. The Director noted that all PSTC rules must readopted as of June, 2006; therefore, we are in the process of drafting changes to the rules now which we are going to talk about at the December meeting. We may want to include in draft form some rules to implement this statute in the event it becomes law. The Director indicated he would have to go to the Fiscal Committee and request additional staff and if they deny the request, the Director would have to make it up with existing staff. The Legislation and rules can be in place by July 1st whether or not the staff would be in place is unclear. If staff is not in place, although it wouldn't be easy, it would be made up with existing staff. Colonel Booth would like to see this process moved along more quickly. Attorney General Ayotte did not believe that the Council can implement a program without enabling legislation. Attorney General Ayotte indicated that Colonel Booth was correct and that it was important to have a plan on how the Council was going to implement this program as the Legislature is likely to ask those questions.

Chief Wrenn asked what if the Legislature stated that it should be left to the local departments. Sheriff Prozzo indicated that it would lack consistency. The Director believes that the individual departments have the authority to do this now according to the Federal law. The only missing piece would be the four-hour use of force training. If the Council is looking for the staff to create this module for purposes of expediency it could be done fairly quickly. The Attorney General noted that a separate curriculum does need to be structured but having individual departments doing the qualifying would result in inconsistency and this was a serious concern to her. Chief Wrenn doesn't feel this will be a significant issue for qualifying New Hampshire retirees. Chief Wrenn felt if we're not going to qualify out of state retirees then why does this have to be done at the Council level.

Colonel Booth likes the idea that PSTC control the qualifying of retirees but he also felt Chief Wrenn made an excellent point that the Legislature might not want to fund additional personnel

and expenses. Colonel Booth felt that all costs should be charged directly to the individual requesting qualification and those costs should go directly to the agency by creating the necessary legislation to do that. Sheriff Prozzo agreed.

Judge Champagne suggested that this be referred to the subcommittee that was formed at the last meeting. Sheriff Prozzo suggested the subcommittee set a date to meet. The Director asked the Council if they wished him to submit the language as discussed today to Legislative Services and amend it at a later time if necessary. The Council agreed that would be appropriate.

Les Dolecal suggested that the language include wording that indicated that the applicant applying for qualification would bear all costs incurred. Attorney General Ayotte felt that was an excellent idea and should be part of the legislation that all fees would be borne by the applicant.

Other Legislation. The Director has heard that legislation is going to be filed to require mandatory training for all police officers on mental illness.

Survey. There have been 50 responses as of October 24th. The Director will give a full accounting at the next meeting.

Council Appointments. Sheriff Carr and Chief Magnant have both been reappointed by the Governor.

NHTI Cafeteria. PSTC has been asked to contribute to the renovations of the NHTI cafeteria since PSTC uses the cafeteria to feed our recruits. The numbers that were introduced a couple of years ago with former President Simonton were between \$50,000 - \$400,000. President Kilchenstein has recently spoken to the Director about contributing to the renovations but no dollar figures were mentioned. The Director advised President Kilchenstein that he did not have the authority to make that kind of commitment on behalf of the Council and he has requested that she come before the Council at the Council Retreat in March to give the Council an overview to provide them with the information they need to determine how much they are willing to commit to this project.

The Council needs to decide whether they choose to contribute to the renovations or to find another means of feeding the recruits. It will mean taking money out of the Penalty Assessment to support this effort. Options discussed at the Director's meeting with President Kilchenstein were whether PSTC would make an annual payment over the life of the bond or a one-time payment. The Director's assessment was that it would be more realistic to make one payment than to obligate the Council over a 15-year period. If the Council decided to feed recruits over here it would cost approximately \$200,000 according to the information the Director received from the contractors. The Director doesn't feel this would be the best idea. Judge Champagne noted that since PSTC is under the umbrella of the Community College, the Council should listen to what the college is proposing before the Council considers alternatives.

National Guard Joint Training. The Director has been approached by the National Guard. They are developing a new program to better integrate themselves with law enforcement during emergency situations. They are also implementing an MP Company in New Hampshire and

they have approached the Director about joint training. He has asked them to come forward with a specific proposal and he will talk to them in January about that.

Rule Change. The Rule Change on medical for three year testing went through on the Consent Calendar for the Rules Committee.

Amend Pol 404.06(b), effective 6-8-00 (Doc #7302) cited and to read as follows:

TTITLE: Pol POLICE STANDARDS AND TRAINING COUNCIL
SUBTITLE:
CHAPTER: 400 CONTINUED STATUS
PART: Pol 404 ONGOING REQUIREMENTS

Pol 404.06 Ongoing Medical Suitability for Physical Fitness Testing

(b) This certification shall be conducted by a licensed physician, physician's assistant or registered nurse practitioner.

The Council now needs to vote to ratify this rule and it will go into effect on October 28th.

On a motion by Chief Dodge, seconded by Judge Champagne, the Council voted unanimously to ratify Pol 404.06 Ongoing Medical Suitability for Physical Fitness Testing effective October 28, 2005.

Previous and/or Unfinished Business

Donald Valente, Jr., Temple-Greenville Police Department

Chief McTague had requested to come before the Council to appeal the Council's decision regarding **Officer Donald Valente's** PT&E request for part-time certification. At the September 20, 2005, PSTC Council Meeting, the Council had voted unanimously to accept staff recommendation and grant Officer Valente part-time certification based upon successful completion of the entire part-time school as a result of the length of time he had been out of police work. The Council listened to the supporting argument of Chief McTague and Officer Valente citing reasons why they felt Officer Valente should not have to attend the entire part-time school.

The Council discussed the information presented in length and they decided not to reconsider their original decision but to follow staff recommendation and apply the matrix, standing by their original decision in that the length of time this officer was out of police work warranted his attending the entire part-time school.

New Business

Decertifications/Suspensions/Revocations/Surrenders

Donald Bullock, Dept of Corrections for violation of 402.02 (a)(4)l, a conviction in Franklin District Court for Negligent Driving on May 24, 2005. **The Director noted that Mr. Bullock had requested a continuance of his case.**

*Prior Training and Experience Requests*Full-Time

The Director outlined the requests of **Justin P. Adams, Tilton Police Department, Brian Nothnagel, NH Fish & Game Department** and **Terry L. Choate, Jr., Jaffrey Police Department**, for prior training and experience. The Council then voted unanimously on a motion by Chief Wrenn, seconded by Chief Morency to accept staff recommendations and grant full-time certifications to Officer Adams and to Officer Nothnagel based on successful completion of the medical, PT test, NH Law Package at the Full-Time Academy and First Aid/CPR, if lapsed, and to Officer Choate with no further action necessary.

*Specialized Training Grants*Command Training Programs

Claremont Police Department. The Director outlined the grant request for \$1,000 from the Claremont Police Department to send **Corporal Jeremy Wilson** to Roger Williams University School of Justice Studies to attend the First Line Supervisor Course in Portsmouth, Rhode Island from November 28, 2005 through December 9, 2005. On a motion by Chief Wrenn, seconded by Colonel Booth, the Council unanimously voted to approve the grant request for \$1,000.00 to the Claremont Police Department to send **Corporal Wilson** to the First Line Supervisor's Course at Roger Williams University in Portsmouth, RI.

Moultonborough Police Department. The Director outlined the grant request for \$1,000 from the Claremont Police Department to send **Corporal Thomas R. Dawson** to Roger Williams University School of Justice Studies to attend the First Line Supervisor Course in Portsmouth, Rhode Island from January 22, 2006 through February 3, 2006. On a motion by Chief Wrenn, seconded by Colonel Booth, the Council unanimously voted to approve the grant request for \$1,000.00 to the Claremont Police Department to send **Corporal Dawson** to the First Line Supervisor's Course at Roger Williams University in Portsmouth, RI.

Rochester Police Department. The Director outlined the grant request for \$1,000.00 from the Rochester Police Department to send **Captain Paul Callaghan** to The Chief's Forum: The Executive Certificate in Police Leadership sponsored by Northeastern University in Boston, Massachusetts. On a motion by Chief Wrenn, seconded by Colonel Booth, the Council unanimously voted to approve the grant request for \$1,000.00 to the Rochester Police

Department to send Captain Callaghan to the Chief's Forum Executive Development Program at Northeastern University.

Portsmouth Police Department. The Director outlined the grant request for \$1,000.00 from the Portsmouth Police Department to send Chief Michael Magnant to The Chief's Forum: The Executive Certificate in Police Leadership sponsored by Northeastern University in Boston, Massachusetts. On a motion by Chief Wrenn, seconded by Colonel Booth, the Council unanimously voted, with Chief Magnant abstaining, to approve the grant request for \$1,000.00 to the Portsmouth Police Department to send Chief Magnant to the Chief's Forum Executive Development Program at Northeastern University.

Other Training

Seabrook Police Department. The Director outlined the grant request for \$618.00 from the Seabrook Police Department to send Lt. Lee J. Bitomske to the SWAT Sniper Supervisors Course at South Florida Community College in Avon Park, Florida. On a motion by Chief Dodge, seconded by Sheriff Carr, the Council unanimously voted to approve the grant request for \$618.00 to the Seabrook Police Department to send Lt. Bitomske to the SWAT Sniper Supervisor's Course at South Florida Community College.

Hampton Police Department. The Director outlined the grant request for \$618.00 from the Hampton Police Department to send an officer to the SWAT Sniper Supervisors Course at South Florida Community College in Avon Park, Florida. On a motion by Chief Dodge, seconded by Sheriff Carr, the Council unanimously voted, with Chief Wrenn abstaining, to approve the grant request for \$618.00 to the Hampton Police Department to send an officer to the SWAT Sniper Supervisor's Course at South Florida Community College.

The Council discussed the fact that after approval of the grant requests at this meeting the training grant account was depleted to about \$1500.00; it was, therefore, decided that additional funds should be transferred in that account. On a motion by Chief Wrenn, seconded by Judge Champagne, the Council voted unanimously to transfer an additional \$5,000 into the Training Grant Account.

Other Business

Request to Exceed the 1300 Rule

Pittsfield Police Department The Director outlined Pittsfield's request that part-time Police Officer Ralph K. Booth be granted a one time waiver to exceed the 1300-hour rule for part-time officers. Pittsfield's request is for an extension of 150 additional hours for the 2005 calendar year to cover shortages in full-time staff due to the fact Pittsfield has one FT officer activated for duty, one FT officer in training and one awaiting a background check. This officer does not have any full-time experience. On a motion by Chief Wrenn, seconded by Sheriff Carr, the Council voted unanimously to deny Pittsfield's request for a waiver to exceed the 1300-hour rule for part-time Police Officer Ralph K. Booth. The Council requested that the Director let the Chief know the reasoning behind the Council's decision.

Somersworth Police Department The Director outlined Somersworth's request that part-time Police Officer Michael Dumont be granted a waiver of the 1300-hour rule and be permitted to work unlimited hours. Officer Dumont officially retired from the department on 9/30/04 and began working as a part-time officer immediately thereafter. On a motion by Chief Wrenn, seconded by Attorney General Ayotte, the Council voted unanimously to grant Officer Dumont a waiver of the 1300-rule and permit him to work unlimited hours.

Errol Police Department The Director outlined Errol's request that part-time Chief of Police Randolph T. DiFruscio be granted a waiver of the 1300-hour rule and be permitted to work unlimited hours. Chief DiFruscio was a full-time officer with the Northwood Police Department until April, 2005. At which time he resigned, and was a full-time officer with the Marine Patrol until June, 2005. He then became part-time employed with Errol as their Chief of Police in July, 2005. On a motion by Chief Wrenn, seconded by Attorney General Ayotte, the Council voted unanimously to grant Chief DiFruscio a waiver of the 1300-rule and permit him to work unlimited hours.

Development of Internal Staff Survey. Due to the lengthy agenda and time constraints of this Council Meeting, Chief Wrenn requested that this agenda item be moved to the November Meeting.

Nonpublic Session - Roger Beauchamp Hearing – Reinstatement of Certification

Judge Champagne recused himself from these proceedings.

Chairman Prozzo read and reviewed Council protocol with Mr. Roger Beauchamp.

Following the motion made by Chief Wrenn, seconded by Chief Dodge, the Council voted unanimously on a roll-call vote to enter into a non-public session at 10:50 a.m. for the hearing on the matter of Roger Beauchamp.

Following the proceedings, on a motion made by Chief Wrenn and seconded by Chief Dodge, the Council voted unanimously to seal the minutes of the non-public session.

Chief Wrenn then made a motion, seconded by Chief Dodge that the Council carried unanimously on a roll-call vote to exit the non-public session at 11:33 a.m.

Upon returning to public session, what was presently before the Council was that the Winchester Police Department had hired Mr. Beauchamp and the Council must now look at his eligibility for certification. The Council needed to determine whether the circumstances of this case were such that he was eligible to be certified under 301.05 or 402.02.

On a motion by Chief Wrenn seconded by Judge Roberts that Mr. Beauchamp be allowed the ability to pursue his part-time certification through his employment with the Winchester Police Department by attending the part-time school and upon his successful completion at the part-time school certification be issued, the Council engaged in discussion of the motion. Attorney

General Ayotte, seconded by Chief Morency, moved to amend Chief Wrenn's motion, seconded by Judge Roberts, to include that Mr. Beauchamp's approval to attend the part-time school be conditioned upon the successful completion of a psychological evaluation to be released to the Director. The Council then voted unanimously to approve the amended portion of the motion by Attorney General Ayotte, seconded by Chief Morency. The Council then voted unanimously on the motion by Chief Wrenn seconded by Judge Roberts, to allow Mr. Beauchamp the ability to pursue his part-time certification on condition that he successfully pass a psychological evaluation prior to attending the part-time school and upon his successful completion at the part-time school, certification be issued.

At 11:40 a.m., Chairman Prozzo excused all members who were not part of the Wentworth deliberations.

Colin Wentworth Deliberations

The hearing was held in public session therefore the deliberations also took place in public session.

Those members present for the deliberations were Sheriff Michael L. Prozzo, Sullivan County Sheriff's Department; Sheriff Scott A. Carr, Carroll County Sheriff's Department; Chief William L. Wrenn, Jr., Hampton Police Department; Chief Gregory C. Dodge, Epping Police Department; Chief Michael J. Magnant, Portsmouth Police Department; Associate Justice Stephen H. Roberts, Dover District Court; Associate Justice Norman E. Champagne, Manchester District Court; Attorney General Kelly A. Ayotte; Charles Annal, Deputy Commissioner and designee of Commissioner William G. Simonton of the NH Community Technical College System and PSTC Counsel Senior Assistant Attorney General Nancy Smith and staff secretary Denise Crocker.

The first order of business was to rule on Attorney Moynihan's Motion to Strike the Director's Response to the Respondent's Proposed Findings of Fact and Rulings of Law.

Sheriff Prozzo addressed the Council Members and indicated he believed they all had received a copy of the correspondence from Attorney Moynihan dated September 16th and the Motion to Strike the Director's Response to the Respondent's Proposed Findings of Fact and Rulings of Law. Looking at this, the Council had given both the Director and Attorney Moynihan adequate time to respond to anything that they needed and that they wanted to respond to and Sheriff Prozzo would deny this motion and he would ask if the Council so agrees with his presentation.

Judge Champagne requested that they go off the record for legal advice with Counsel. The Council went off the record at 11:43 p.m. for legal advice and returned to public session at 11:46 a.m.

Chief Wrenn did not see anything in the Director's Response that offered any additional issues or additional evidence and believes it was just a response to the Attorney's Findings of Fact and therefore he did not see any reason to uphold Attorney Moynihan's Motion to Strike the Director's Response. On a motion by Chief Wrenn seconded by Judge Champagne the Council

voted unanimously to deny Attorney Moynihan's Motion to Strike the Director's Response to the Respondent's Proposed Findings of Fact and Rulings of Law.

The Council then had a lengthy discussion of the evidence presented in this case with each member outlining his/her perceptions of the facts of the case. The Council once again went off the record at 12:12 p.m. and requested advice from legal counsel. The Council returned to public session at 12:21 p.m.

Sheriff Prozzo reiterated that the Council needed to review the testimony and the facts before them and decide whether it violated any of PSTC rules and if the Council felt that it did, then the Council needed to specify what rule it violated and why the Council felt it violated that rule.

Chairman Prozzo appointed a subcommittee (consisting of Chairman Judge Roberts, Chief Magnant and Chief Dodge) to make recommendations on whether to grant or deny each of the findings of facts or rulings of law for each side.

The Council decided to defer any decision until the subcommittee returns with its recommendations for both the petitioner's and respondent's requests of their findings of facts and rulings of law. The Council will not make any final decision until there has been consideration and approval by the entire Council on the subcommittee's rulings by granting or denying the requests for the findings of facts and rulings of law. After the full Council has voted on the subcommittee's recommendations, a decision to vote on certification will be brought before the Council.

Next Meeting Date

Chairman Prozzo scheduled the next two Council Meetings for 9:00 a.m. Tuesday, November 22, 2005, and 9:00 a.m. Monday, December 12, 2005, respectively, in the John Morton conference room. The Chairman noted that he would not be available at the November 22nd meeting. Attorney General Ayotte also noted she will be unavailable for the November meeting. The Chairman further noted that the December meeting will be solely for the purposes of discussing proposed rule changes as PSTC's Administrative Rules come up for review in June, 2006 and deliberations/decisions on the Wentworth case.

Adjournment

The Council unanimously voted to adjourn the meeting at 12:40 p.m., on a motion by Chief Dodge and seconded by Attorney General Ayotte.

Chairman Michael L. Prozzo, Jr.