

**Vermont Secretary of State
Office of Professional Regulation**

**BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES
MINUTES OF
MARCH 17, 2006**

- 01.** The meeting was called to order at 9:07 a.m.

Members present: Daniel A. Coane, Chairman; Robert E. Edwards, Vice-Chair; Liz Gilligan, Public member; Emma Pudvah, Ad Hoc member and Nancy Stevens, Ad Hoc member.

OPR Staff present: Carla Preston, Unit Administrator; Kevin Leahy, Board Counsel; Patty Skinner, Administrative Assistant and Rob Backus, Prosecuting Attorney

Others present: Dave Cahee with Censor Security; Jason Smith, Director of State Security Programs, Glenn D. Cyr, Chief of State Security Programs; Marc Johnson with Hunter North Associates and Howard Miller Esq.

- 02.** The Chair called for approval of the Minutes of the February 17, 2006 meeting. Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve the minutes as read. Ms. Stevens recused because she was not at the last meeting.

03. Hearings

- a. The Board considered the Stipulation and Consent Order in regard to Robert M. Goderre – PD05-0805 and Hunter North Assoc- PD06-0805. The Respondent was not present, but was represented by Howard Miller, Esq. Attorney Robert Backus presided on behalf of the State and Attorney Kevin Leahy, presided for the Board. Mr. Coane made a motion, seconded by Ms. Stevens, to approve the Stipulation and Consent Order. Mr. Edwards recused due to being on the investigative team.

04. Complaints/Follow-ups

- a. The Board reviewed the report submitted by MVM, Inc. Docket No: PD12-1203, and found them to be in compliance with the December 17, 2004 Stipulation and Consent Order. Ms. Stevens recused due to being and Ad Hoc member and not familiar with this case.

05. Legislative Review

- a. Attorney Leahy advised the Board that their 2 changes have passed the House and are currently in the Senate. This is in reference to retention for training records for 5 years and the addition of temporary licenses for security guards under emergency situations.

06. Applications to review

- a. Tyler J. Hayes – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah to preliminary deny Mr. Hayes based on 26 V.S.A. § 3181 (b) 15 “*Failing to provide information requested by the Board*” and 26 V.S.A. (b) 18 (b) 18 “*Providing incomplete, false or misleading information on an application.*” Motion passed unanimously.
- b. Rodney Scribner – Unarmed Guard with Hunter North Associates. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah to preliminary deny Mr. Scribner based on 26 V.S.A. § 3181 (b) 15 “*Failing to provide information requested by the Board*” and 26 V.S.A. (b) 18 (b) 18 “*Providing incomplete, false or misleading information on an application.*” Motion passed unanimously.
- c. Ryan Prescott, John Rabideau and Robert Johnson Jr. – instructors for Wackenhut’s 40 hour training program. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Prescott, Mr. Rabideau and Mr. Johnson as instructors for the Wackenhut Training Program. Motion passed unanimously.

In regards to the training of Shawn Aubin, Michael Connellley, Christopher Hughes and George LaPenta, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve the training already received by these individuals. Motion passed unanimously.

- d. J. Cronan Associates – Syllabus for 40 Hour Training Program. Based on the information provided, Ms. Stevens made a motion, seconded by Ms. Gilligan to approve J. Cronan Associates 40 Hour Training Program as well as his instructors. Mr. Edwards recused on this item due to a personal conflict.

Request for 60 day extension on David Nease’s temporary license. Ms. Stevens made a motion, seconded by Ms. Gilligan, to deny the request for waiver for Mr. Nease. The reason for denial was that Mr. Cronan’s training program was approved, and there would be no reason

- e. Alan Kick – Unarmed investigator with ICS-Merrill. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Kick for registration. Motion passed unanimously.
- f. Marc Johnson – Unarmed Security Guard with Hunter North Associates. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Johnson for registration. Motion passed unanimously.

07. Follow Ups Applications

- a. Meagan McGovern – Unarmed Private Investigator with New England Fire Cause and Origin.
- b. C.A.H. Services Airport Parking – Awaiting further information from the applicant.

- c. Advantage Parking Services – Unarmed security agency with Patricia Sheerin as the Qualifying Agent, tabled from the January meeting.
- d. Geoffrey T. Brewster – Private Investigator with Downeast Investigations. Request for waiver of training
- e. David Nease – Unarmed Private Investigator with J. Cronan Associates. Waiver requested for specific areas of training.
- f. Christopher Lajoie – Unarmed Private Investigator with Capital Investigating and Adjusting. Request for waiver

08. Correspondence

09 Budget Review

10. Other Business

- a. Discuss the definition of §3151 Definitions 4. (D) and §3174. Kevin Leahy, Board Counsel and Robert Backus, Prosecuting Attorney discussed some of the issues that have arisen regarding the interpretation of “Control, regulation, or direction of the flow or movement of the public, whether by vehicle or otherwise, on the premises of the person entered into the contract for security services, and only to the extent and for the time directly and specifically required to assure the protection of properties.” No conclusion was reached, and the matter may be brought up in the future.
- b. At the present time the Board does not have any licensing requirements for Repossession Agents.

11. Public Comments

- a. Jason Smith, Director of State Security Programs and Glenn D. Cyr, Chief of State Security Programs were present to introduce themselves to the Board. They are starting up a new State Security Program, and may want to use some of the procedures that the Board has in place to enhance their program.

- 12.** There being no further business, the meeting was adjourned at 12:15 p.m.

NEXT MEETING DATE FOR 2006: April 21, 2006