

**BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES
UNAPPROVED MINUTES
MEETING OF JANUARY 21, 2005**

1. The meeting was called to order at 9:00 a.m.

Members present: Daniel A. Coane, Chairperson; Robert E. Edwards, Secretary; Leo P. Blais, Vice-Chair and Emma Pudvah, Ad Hoc member.

OPR Staff present: Christopher D. Winters, Board Counsel; Jessica Porter, Director of the Office of Professional Regulation; Carla Preston, Unit Administrator and Patty Skinner, Administrative Assistant.

Others present: Kent Maxfield, Deter Security; Frank Kinney, Deter Security; Jim Eckhardt, Censor Security; Kevin Cheney, Green Mountain Concert Services; Jeremy Spaulding, Green Mountain Concert Services; Mark E. Stockton, Stockton Security; Chad Bernier; Chris Pollard; Glenn Cutting; William Butler; J.J. Hamilton; Michael W. Simpson; Curtis Hennigar and Alison J. Bell Esq.

2. The Chair called for approval of the Minutes of the December 17th meeting. Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve the minutes of December 17th, 2004 as read. Motion passed unanimously.

3. Hearings/Stipulations

- a. At 10:30 the Board held a hearing regarding the Superior Courts' decision to remanding the case in the matter of Curtis A. Hennigar, Qualifying Agent for C.A.H. Services Airport Parking to the Board for another hearing. Mr. Hennigar and his attorney Alison Bell were present; witnesses for the applicant were also present. Attorney Christopher Winters presided for the Board. The Board went into deliberative session at 12:25 p.m. and out at 12:40 p.m. Board Counsel will issue a written decision. Mr. Coane recused due to his association with the law firm and the applicants attorney.

4. Reports

5. Legislation/Rulemaking

- a. Ms. Jessica Porter discussed bill S.15 regarding the creation of a "An Act Relating to Voyeurism" law. Ms. Porter urged the Board to testify at the legislature today and on January 25th. She said that the Board should educate the committee about the role and duties of a private investigator. The Board noted that it supports the intent of the bill, but investigators need to be exempt.

- a. Christopher J. Farley – Unarmed Guard with Green Mountain Concert Services. Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Farley for registration. Motion passed unanimously.
- b. Stephen L. Chapman – Unarmed Security Guard with Valor Security. Mr. Edwards made a motion, seconded by Ms. Pudvah, to preliminarily deny Mr. Chapman’s application based on Title 26, Chapter 59 §3181 (b)(15) failure to provide the information requested by the Board, §3181 (b)(18) providing incomplete, false or misleading information on an application and Title 3, Chapter 5 §129 a(a)(10) Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession. Motion passed unanimously.
- c. Raymond A. Clark – Unarmed Security Guard with Deter Security. Kent Maxfield of Deter Security indicated that this applicant was no longer being considered for employment, and withdrew the application. No action was necessary.
- d. Russell T. Aronis – Unarmed Security Guard with Deter Security. Kent Maxfield of Deter Security indicated that this applicant was no longer being considered for employment, and withdrew the application. No action was necessary.
- e. Christopher E. Pollard – Unarmed Security Guard with Guardsmark, LLC, tabled from the December meeting for a personnel appearance. Mr. Pollard waived executive session to discuss his application. Mr. Edwards made a motion, seconded by Ms. Pudvah, to go into deliberative session at 9:27 a.m. and out at 9:31 a.m. Mr. Edwards made a motion, seconded by Ms. Pudvah, to preliminarily deny Mr. Pollard’s application based on Title 3, Chapter 5 §129a(a)(10) Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession. Motion passed unanimously.
- f. Ashley L. Machia – Unarmed Security Guard with Hunter North Associates, tabled from the December meeting for a personnel appearance. Based on the fact that Ms. Machia was not present or contact the Board, Mr. Edwards made a motion, seconded by Ms. Pudvah, to preliminarily

deny Ms. Machia's registration based on Title 26, Chapter 59 §3181 (b)(15) failure to provide the information requested by the Board, §3181 (b)(18) providing incomplete, false or misleading information on an application. Motion passed unanimously.

- g. AT Systems New England, Inc. as security agency with Eric Reder as Qualifying Agent. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve the application as presented. Motion passed unanimously.
- h. Cutting & Associates with Glenn W. Cutting as the Qualifying Agent. Mr. Edwards made a motion, seconded by Ms. Pudvah, to waive the FBI background check on Mr. Cutting based on his state police background, and to approve his application as submitted. Mr. Blais recused from voting due to his association with the state police. Motion passed.
- i. Joshua R. McDonald – Unarmed Security Guard with Guardsmark, LLC. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. McDonald for registration. Motion passed unanimously.
- j. Chad A. Bernier – Unarmed Guard with Deter Security, Inc. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Bernier for registration. Motion passed unanimously.
- k. James D. Apicella – Unarmed Guard with Censor Security, Inc. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Apicella for registration. Motion passed unanimously.

9. New Business

- a. Francis Kinney from Deter Security spoke on what his company would be using for training, but did not submit his program at this time.
- b. The issue of having picture ID cards was discussed. The Board agreed that the licenses that they receive now are inappropriate, and should have a photo on them. Ms. Preston will set up a meeting to discuss this issue further.

10. Correspondence

- a. The Board reviewed the email from Lisa Audet regarding whether a license is required in order to serve "Civil Process" and/or perform Skip Tracing services. It was the Boards' decision that Civil Process (subpoenas) may be issued by anyone, but that skip tracing services would fall under the preview of the Board.

- b. The Board discussed the email from Robert Montminy regarding the use of dogs to detect accelerants. The Board concluded that as long as the dog was used as a tool and no reports are written that a license would not be required.

11. Public Comment

- a. Jeremy Spaulding from Green Mountain Concert Services brought up the definition of “crowd management” by the International Association of Assembly Managers as being the ability to plan properly to provide a safe environment through the sharing of information, to safely manage the flow of people, in addition to foresee issues that may cause the need for crowd control and prevent emergency situations or unsafe environments; to be proactive rather than reactive.

Mr. Spaulding feels that Green Mountain Concert Services falls within the above definition more so than the definition that can be inferred by the boards’ proposed rules. He asked the Board to consider their services as an exemption in the future.

- 12.** There being no further business, Mr. Edwards made a motion, seconded by Ms. Pudvah, to adjourn the meeting at 2:38 p.m. Motion passed unanimously.

Respectfully submitted,

Patty Skinner
Carla Preston

NEXT MEETING DATE FOR 2005: March 18, 2005