

Office of Professional Regulation
BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES

**UNAPPROVED MINUTES
MEETING OF SEPTEMBER 17, 2004**

1. The meeting was called to order at 9:04 a.m.

Members present: Leo P. Blais, Vice-Chair, Robert E. Edwards, Secretary; Nancy Stevens, Ad Hoc; Lewis Vernazza, Ad Hoc; and Emma J. Pudvah, Ad Hoc Member.
Absent: Daniel A. Coane, Chairperson.

OPR Staff present: Christopher D. Winters, Board Counsel; Robert Backus, Prosecuting Attorney, Carla Preston, Unit Administrator and Patty Skinner, Administrative Assistant.

Others present: David K. Hough, Gary R. O'Brien, Bob Danis, James Eckhardt, and Robert Goderre.

2. The Chair called for approval of the Minutes of the August 20, 2004 meeting. Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve the Minutes of August 20, 2004 meeting as presented. Motion passed unanimously.

3. **Hearings/Stipulations**

- a. At 10:00 a.m. a hearing was held in the matter of Hunter North Associates, Robert Goderre, Qualifying Agent, Docket Numbers: PD17-0304 and PD18-0304 to discuss sanctions. Robert Backus, Prosecuting Attorney, was present for the State. Christopher D. Winters, Esq. presided for the Board. The Respondent, Robert Goderre, was present. Leo Blais recused himself as he has a prior relationship with the Agency.

The Board reviewed the Specification of Charges and Answers to the Charges. Ms. Stevens made a motion, seconded by Ms. Pudvah, to go into deliberative session at 10:11 and out at 10:18 am. Based on testimony heard, Mr. Vernazza made a motion, seconded by Ms. Stevens, to issue Warnings and a \$250 Administrative Penalty for both the Qualifying Agency and for the Agency. For the purposes of this hearing, Mr. Vernazza is the Acting Chair. Motions passed. Robert Edwards, Investigating Member, did not participate in the votes. Board Counsel will issue a written decision.

- b. At 10:22 a.m. a hearing was held in the matter of Censor Security, James Eckhardt, Qualifying Agent, Docket Numbers: PD11-1203 and PD22-0404 to discuss sanctions. Robert Backus, Prosecuting Attorney, was present for the State. Christopher D. Winters, Esq. presided for the Board. The Respondent, James R. Eckhardt, was present.

The Board reviewed the Specification of Charges and Answers to the Charges. Mr. Blais made a motion, seconded by Ms. Pudvah, to go into deliberative session at 10:31 and out at 10:40 am. Based on testimony heard, Mr. Blais made a motion, seconded by Ms. Pudvah, to issue Warnings and a \$250 Administrative Penalty for both the Qualifying Agency and for the Agency. Motions passed. Robert Edwards, Investigating Member, did not participate in the votes. Board Counsel will issue a written decision.

4. **Reports**

5. Legislation/Rulemaking

- a. The Board tabled further action with regard to its proposed rules to the October 15, 2004 meeting.

Mr. Eckhardt asked for clarification with regard to training in which applicants “shadow” a supervisor for a maximum of two weeks, but the application has not yet been submitted. He explained that during such time, a potential applicant is directly supervised by a licensed/registered supervisor. He said it allows the applicant and the agency time to determine whether or not security work is desirable.

Attorney Winters noted that the proposed rules allow for up to 10 hours of training (2.6). Attorney Backus noted that it is a practice issue; is this potential applicant who is shadowing his/her supervisor “practicing” as a security guard. The matter was discussed briefly. The Board agreed to reconsider this language in the proposed rules and tabled further discussion to the next meeting.

6. Complaints

7. Applications reviewed and discussed

- a. Michael J. Bellefeuille – Unarmed Security Guard with Green Mountain Concert Services, tabled from the August meeting. Based on the information provided, Ms. Stevens made a motion, seconded by Mr. Edwards, to preliminarily deny Mr. Bellefeuille’s application for the following reasons: *3 V.S.A. §129a (a) (9) “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.
- b. John Bogdan – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Bogdan for registration. Motion passed unanimously.
- c. Robert D. Borthwick – Unarmed Security Guard and Private Investigator for Security One. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Borthwick for registration. Motion passed unanimously.
- d. John T. Brandon – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Brandon for registration. Motion passed unanimously.
- e. Eric J. Buckley – Unarmed Security Guard with Censor Security, Inc. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Buckley for registration. Motion passed unanimously.
- f. Blythe E. Giroux – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Ms. Giroux for registration. Motion passed unanimously.

7. Applications reviewed and discussed (cont.)

- g. Ryan A. Griffin – Unarmed Security Guard with Censor Security. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Griffin for registration. Motion passed unanimously.
- h. Brent C. Harrewyn – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Harrewyn for registration. Motion passed unanimously.
- i. Bret A. Keleher – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to preliminarily deny Mr. Kelecher’s application for the following reasons: *26 V.S.A. § 3181 (b) (15) “Failing to provide information requested by the Board;” and 26 V.S.A. § 3181 (b) (18) “Providing incomplete, false or misleading information on an application.”* Motion passed unanimously.
- j. Seanan R. Keleher – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Keleher for registration. Motion passed unanimously.
- k. Ian L. Koch – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Ms. Stevens made a motion, seconded by Mr. Edwards, to request that Mr. Koch personally appear at the October 15th meeting to discuss his application. Motion passed unanimously.
- l. Christopher A. LaCroix – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. LaCroix for registration. Motion passed unanimously.
- m. Ruel J. McLamb – Unarmed Security Guard with Deter Security. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to request that Mr. McLamb personally appear at the October 15th meeting to discuss his application. Motion passed unanimously.
- n. Donald F. Miller III – Unarmed Security Guard with Deter Security, Inc. Based on the information provided, Mr. Edwards made a motion, seconded by Mr. Vernazza, to preliminarily deny Mr. Miller’s application for the following reasons: *26 V.S.A. § 3181 (b) (15) “Failing to provide information requested by the Board;” and 26 V.S.A. § 3181 (b) (18) “Providing incomplete, false or misleading information on an application.”* Motion passed unanimously.
- o. Amanda M. Mitchell – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Ms. Stevens made a motion, seconded by Ms. Pudvah, to approve Ms. Mitchell for registration. Motion passed unanimously.

7. Applications reviewed and discussed (cont.)

- p. Shawn A. Montague – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Montague for registration. Motion passed unanimously.
- q. Jaren R. Naef – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Naef for registration. Motion passed unanimously.
- r. Gary R. O'Brien – Unarmed Security Guard with Hunter North Associates. Mr. O'Brien was present and agreed to waive executive session to discuss his application. Based on the information and testimony provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. O'Brien for registration. Motion passed unanimously.
- s. Craig O. Pelletier – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Pelletier for registration. Motion passed unanimously.
- t. Brandon C. Seminario – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to preliminarily deny Mr. Seminario's application for the following reasons: *26 V.S.A. § 3181 (b) (15) "Failing to provide information requested by the Board;" and 26 V.S.A. § 3181 (b) (18) "Providing incomplete, false or misleading information on an application."* Motion passed unanimously.
- u. Kimberly Smith – Unarmed Security Guard with Censor Security, Inc. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Ms. Smith for registration. Ms. Smith will be reminded that she must answer question number one, as "yes" on all future applications. Motion passed unanimously.
- v. Randy C. Stephenson – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Mr. Vernazza, to approve Mr. Stephenson for registration. Motion passed unanimously.
- w. Lawrence R. Stridsberg – Unarmed Security Guard with Guardsmark, LLC. Based on the information provided, Ms. Stevens made a motion, seconded by Mr. Edwards, to approve Mr. Stridsberg for registration. Motion passed unanimously.
- x. Leslie J. Stridsberg – Unarmed Security Guard with Guardsmark, LLC. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Stridsberg for registration. Motion passed unanimously.
- y. Jason J. Swift – Unarmed Security Guard with Green Mountain Concert Services. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Swift for registration. Motion passed unanimously.

7. Applications reviewed and discussed (cont.)

- z. William A. Vivian Jr. – Unarmed Security Guard with Guardsmark, LLC. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Vivian for registration. Motion passed unanimously.
- aa. Richard Frosolone – Unarmed Security Guard with Valor Security Services, tabled from the August meeting. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Frosolone for registration. Motion passed unanimously.
- bb. Renee' L. Bourassa – Unarmed Security Guard with Deter Security, Inc. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Ms. Bourassa for registration. Motion passed unanimously.
- cc. Avert, Inc. as a Private Investigative Agency with Dean Suposs as Qualifying Agent. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Avert, Inc. with Mr. Suposs as Qualifying Agent for licensure. Motion passed unanimously.
- dd. Russell Security Co., Inc. II, Inc. as a Security Service Agency with Emerson E. Russell as Qualifying Agent. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Russell Security Co II., Inc. with Mr. Russell as Qualifying Agent for licensure. Motion passed unanimously.
- ee. David K. Hough – The Board reviewed Mr. Hough's application as a Firearms Instructor, the course he would be teaching, and his request for a waiver of the two day firearms training under a Vermont licensed instructor. The Board noted that Mr. Hough recently completed the firearms course with Smith and Wesson and that his Federal Background was fine. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to grant Mr. Hough's request for a waiver of the firearms training under a licensed Vermont instructor, thereby approving Mr. Hough as a licensed Firearms Instructor, approving the course he would be teaching, and approving Mr. Hough's agency, Eye on Vermont Investigations, from an unarmed to Armed agency. The question was called and the motion passed unanimously.

8. Update Re Old Business

9. Correspondence

10. Public Comments

11. There being no further business, the meeting was adjourned at 12:02 p.m.

12. The next meeting is scheduled for October 15, 2004.

Respectfully submitted,

Patty Skinner
Administrative Assistant