

February 12, 2018

The Nashua Police Commission held a public meeting on Monday, February 12, 2018, at the Nashua Police Department.

Members present:

- Commissioner James R. Tollner, Chairman
- Commissioner Nicholas Dahl, Clerk
- Commissioner Matthew Plante
- Chief Andrew J. Lavoie
- Deputy Chief Michael Carignan
- Deputy Chief Denis Linehan
- Karen Smith, NPD Business Manager
- Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

Others Attending the Public Session:

- Aldermanic Liaison Lori Wilshire
- Aldermanic Liaison Ernest Jette
- Citizen George Denault

PUBLIC SESSION

Commissioner Tollner called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES:

- January 8, 2018
- February 1, 2018

MOTION: Commissioner Dahl made a motion to approve the minutes of the January 8, 2018, and the February 1, 2018, meeting. Motion seconded by Commissioner Plante. All in favor.

BUDGET:

Business Manager Karen Smith provided the Commissioners with the following reports.

FY2018 Expenditure Report:

The Commission received a copy of the January 31, 2018 Expenditure Report. The Expenditure Report includes 30 of 52 weeks of payroll which is 57% of the annual budget. Ms. Smith will be reviewing the gasoline account as soon as the information is available.

FY2018 Revenue Report:

The Commission received a copy of the January 31, 2018 Revenue Report.

FY2018 Weekly Payroll Overtime:

The overtime averaged \$22,592 per week during the month of January due to primarily coverage and investigative overtime.

FY2018 Overtime Tracking by Specific Case or Significant Occurrence:

The Commission received a copy of the FY2018 Monthly Overtime Tracking by Specific Case Number or Significant Occurrence report showing the overtime cost for recent major cases and/or significant occurrences. During January, there was no significant overtime reported for investigations but there was overtime for the snowstorm (\$2,307) and training (\$2,157).

Payroll Cost Analysis and Forecast:

John Griffin’s form “Police Department Payroll Cost FY2018” was updated by Karen Smith. Basing the year on a weekly overtime of \$30,000 and an average weekly payroll of \$320,000 – \$322,773 including attrition, in-grade pay, and anticipated five new recruits, this form can be used to forecast the year-end balance on the payroll accounts given any unforeseen circumstances such as major investigations. Ms. Smith anticipates that the budget will be in the black at year end.

Strength Report:

The Commission received a copy of the January 31, 2018, Strength Report.

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	186	179	174	5
Total Non-Sworn Members	6	6	1	5
Total Part-Time Civilians	5	6	4	2
Total Full-Time Civilians	70	61	61	0
Total Grant Civilians	1	1	1	0
TOTAL:	268	253	241	12

Expendable Trust Funds, Special Revenue Revolving Funds and Grant Reports:***Expendable Trust Funds:***

- 7080 Police Overtime ETF
- 7081 Police General Fund Purposes ETF (New Pistol Money)
- 7507 Police Bomb Spec Unit ETF
- 7508 Police K9 Unit ETF:
- 7509 Police School Programs ETF
- 7510 Police-Rad System Program ETF
- 7511 Police-Law Enforcement Programs ETF

Special Revenue Revolving Funds:

- 4020 Police Drug Enforcement Fund
- 4022 US Treasury Forfeiture Fund
- 4025 DOJ Drug Forfeiture Fund
- 4030 Police Special Detail Fund

There are no outstanding past forfeiture funds owed to NPD. Alderman Jette asked for clarification regarding drug forfeiture money. Chief Lavoie explained that drug forfeiture money is money, property, etc. seized/forfeited through illicit crimes. Nashua receives some of this money which is used to partly fund our Narcotics Division (non-budgetary items) such items as drug unit undercover vehicles, buy money, etc. Salaries are covered through our budget. There are specific guidelines set up for its use and NPD is required to do reporting to the DOJ on spent money. The money also assists the unit with costs associated with officers assigned to various task forces.

The Nashua Police Department partners with the Child Advocacy Center and we do provide funds to that agency for their assistance (\$5,000).

Grants:

- 50.1001.15.01 JAG15 Justice Assistance Grant
- 50.1001.16.01 JAG16 Justice Assistance Grant
- 50.1003.18.01 VAWA FY18 Domestic Violence Grant
- 50.1005.16.01 Bulletproof Vest Partnership Grant
- 50.1006.18.01 NH Hwy Safety – Nashua Step Grant
- 50.1006.18.03 NH Hwy Safety – Distracted Driver Grant
- 50.1006.18.08 NH Hwy Safety – Nashua DWI/DUI Patrol
- 50-1010-18.01 NH Hwy Safety - Hostage Rescue Team Conference
- 50-1010-18.01 NH Hwy Safety – National Tactical Conference
- 50.1011.18.01 Law Enforcement OARI (Granite Hammer Drug)

It should be noted that all grants go to the Mayor and then before the Board of Aldermen for grant acceptance and approval. Some grants require matching funds.

MOTION: Commissioner Tollner made a motion to accept the budget reports. Motion seconded by Commissioner Plante. All in favor.

ACTIVITY REPORT:***Deputy Chief Denis Linehan reported the following:***

On January 4, 2018, officers responded to a report of a robbery on Stevens Avenue. The victim reported that he was robbed at gunpoint, pistol whipped, and had sustained lacerations on his face. The suspects fled the scene. The victim's wallet was stolen. CID was notified and furthered the investigation. Both suspects were later arrested.

On January 30, 2018, officers responded to East Hollis Street Variety for a report of a robbery. It was determined that a male entered the store armed with a handgun, which ended up being a plastic gun, and demanded money. No injuries reported. CID furthered the investigation and an arrested was made within a few days.

On January 3, 2018, officers responded to South Main Street for a burglary in progress. Upon arrival, the officers learned the suspect fled on foot and a BOLO was issued. Several minutes later the suspect was located on Harbor Avenue and placed into custody for an outstanding warrant for burglary.

On January 15, 2018, officers responded to Motel 6, 2 Progress Avenue, for a suicidal female armed with a rifle. During the course of the investigation it was discovered that the female discharged the rifle within the room. There were no injuries sustained. The female was arrested and CID furthered the investigation.

On January 20, 2018, officers responded to SNHMC for a report of a non-life threatening, self-inflicted gunshot wound to the hand.

On January 17, 2018, officers were at Major Drive trying to locate a wanted subject. They made contact with a 49-year-old female subject who exited the residence stating the wanted subject was shot and deceased in her apartment. The female subject fled the scene in her vehicle. Officers pursued the female's vehicle and successfully deployed spike strips in the area of Exit 5. The suspect's vehicle came to a stop and a short foot pursuit ensued. The female ran into the river where officer went in after her got her out. The female was taken into custody and is facing several misdemeanor charges. It should be noted that there was no deceased person found in the home.

On January 7, 2018, Officer Ciszek observed a house fire located at 93 Lock Street. Officer Ciszek was able to quickly locate an elderly male subject within the residence and assisted him with exiting the residence. Several officers arrived on scene and were told there was still an elderly female within the residence. The officers entered the burning building and attempted to make contact with the female, but were unsuccessful. NFR arrived on scene and entered the residence and were able to remove the female.

On January 24, 2018, members of the POP Unit and Traffic Unit received information about a number of fraudulently purchased cell phones being delivered to homes in Nashua. The two units conducted an investigation and identified a theft ring from New York City. Three subjects were arrested for approximately \$50,000 worth of stolen merchandise. The individuals were ordering phones, having them delivered to various Nashua locations, and then grabbing the boxes off porches once delivered to the locations.

Deputy Chief Michael Carignan reported the following:

Deputy Carignan noted that we are seeing a burglary trend; however, detectives are turning them over quickly.

The Computer Forensics Unit recently provided significant assistance to the Internet Crimes Against Children (ICAC) Task Force with executing search warrants.

Professional Standards Bureau:

The Professional Standards Bureau recently conducted a Police Recruit Test. There were 69 applicants of which 47 showed up for testing. Six secondary interviews were scheduled with two candidates definitely moving forward in the process.

Services Bureau:

The Extra Duty Solutions project for outside details is moving along with some minor adjustments needed in the process.

A new project has begun regarding transferring old paper records files to electronic files.

Alderman Jette asked about recent newspaper articles regarding arrests for child pornography and if arrests are made in the early morning hours or during the middle of the night. Deputy Carignan responded that prior to executing any search warrant, an assessment is made to determine the best day and time to execute it. Office safety is important and in cases of computer crimes, we don't want the subject to have the opportunity to delete/erase files prior to the warrant.

2017 Drug Statistics:

- Total Opioid-related Overdoses: 27
- Total Opioid-related Deaths: 2

MOTION: Commissioner Plante made a motion to accept the activity report. Motion seconded by Commissioner Dahl. All in favor.

CORRESPONDENCE FROM THE PUBLIC & OTHER AGENCIES:

Chief Lavoie gave the Commissioners an overview of letters of appreciation received from the public and outside agencies.

MOTION: Commissioner Dahl made a motion to accept the correspondence. The motion was seconded by Commissioner Tollner. All in favor.

RETIREMENTS:

- *Sergeant Lakeisha Phelps: Retirement effective March 1, 2018*
- *Master Patrolman II Kevin Rautenberg: Retirement effective March 1, 2018*

MOTION: Commissioner Plante made a motion to accept the retirements of Sergeant Lakeisha Phelps and MPO-II Kevin Rautenberg. The motion was seconded by Commissioner Dahl. All in favor.

NON-UNION BENEFIT PACKAGE:

Animal Control Officer & Parking Enforcement Specialists

Effective January 15, 2018, Parking Enforcement Specialist positions were transferred to City management. Parking Enforcement Specialist positions were removed from the benefit package.

MOTION: Commissioner Tollner made a motion to approve the removal of the Parking Enforcement Specialist positions from the ACO/PES benefit package. The motion was seconded by Commissioner Plante. All in favor.

AWARD:

For the Record.

January 2018 Exemplary Communications Employee Award:

- Dispatcher Brian Pinsonneault

OTHER BUSINESS:

- On Wednesday, February 14, 2018, Chief Lavoie will be attending the “Safe Stations” breakfast.
- A Budget Review meeting is scheduled with Mayor Donchess on February 14, 2018, at 10:00 a.m.
- A plea and sentencing hearing is scheduled at the court for the David Caplan homicide case. Deputy Linehan will be attending.

PUBLIC COMMENT:

Mr. George Deneault commented on the recent incident involving the fraudulently purchased cell phones that were being delivered to various homes in Nashua. He stated that one of these packages was delivered and dropped off on his property. A Candia Street Neighborhood Watch member observed someone trying to retrieve the package from Mr. Denault's property and challenged the subject to put it back which caused the subject to leave the premises. In doing so, the subject nearly ran into a school bus. The Neighborhood Watch member was able to report the license plate number to police and also provide home security camera footage of the incident. A letter of appreciation from the Neighborhood Watch group is forthcoming.

Mr. Deneault inquired about the difficulty with recruiting new officers and asked about the morale of Nashua Police officers given recent shootings of police officers nationwide. Chief Lavoie stated that we have had recent officer resignations; however, many of these officers stayed in the business and went on to work at other law enforcement agencies. He believes that the officers employed at NPD want to be here as that is who they are as a person. It should be noted that NPD does have a Critical Incident Management Team that is available to all officers who may need some assistance. At one time a police recruit test could draw in 300-400 applicants; however, we have seen that number drop drastically in recent years. There is a nationwide problem with recruiting qualified police candidates due to the current national political climate. However, it is important for Nashua to continue it high standards when recruiting new officers.

Mr. Denault also asked if NPD would consider installing bulletproof glass in cruiser windows given the current increase in police officer shootings nationwide and “crazies” who want to do damage and “hit” law enforcement officers who are just sitting in their cruiser. Deputy Linehan responded that the glass would need to be specially made and would not allow the windows to be rolled down. Deputy Carignan commented that it is important to remember that officers are not just confined to their vehicles as they conduct traffic stops, make arrests, and have many other duties. Chief Lavoie thanked Mr. Denault for his concern for our officers.

Alderman Jette commented that at a recent Board of Alderman meeting, someone brought forth a complaint regarding the Nashua Police Department. Chief Lavoie stated that he was aware of the complaint and it was investigated as all complaints are investigated. Commissioner Tollner stated any complaints received in the future should be forward to Chief Lavoie.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 7:09 p.m.

MOTION: Commissioner Tollner asked for a motion by roll call vote to *suspend* the public session and enter non-public session as authorized by:

Item #1:

RSA 91-A:3, II (a): “The dismissal, promotion, or compensations 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.”

Motion by Commissioner Tollner, seconded by Commissioner Dahl.

A roll call vote was taken:

- Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes

END OF NON-PUBLIC SESSION:

MOTION: Commissioner Tollner made a motion to end the non-public session and return to public session. Motion seconded by Commissioner Dahl.

RETURN TO PUBLIC SESSION: 7:15 p.m.

MOTION TO SEAL 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. ...”

- “divulgence of the information likely would affect adversely the reputation of any person other than a member of the body or agency itself,
- or render the proposed action ineffective,
- or pertain to terrorism...”

Commissioner Tollner asked for a motion to seal the following minutes of the Non-Public session.

Item #1: RSA 91-A:3, II (a),

“The dismissal, promotion, or compensations of any public employee or the disciplining of such employee.....”

MOTION: Motion by Commissioner Dahl, seconded by Commissioner Plante, to seal the minutes of the Non-Public Session (**Item #1**) as authorized above.

Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes. Minutes sealed.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, March 26, 2018, at 6:00 p.m.

ADJOURNMENT

MOTION: Commissioner Tollner made a motion to end the public session and adjourn the meeting. Motion seconded by Commissioner Dahl.

Time: 7:16 p.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk