

December 8, 2015

The Nashua Police Commission held a meeting on Tuesday, December 8, 2015, at the Nashua Police Department.

Members present:

Commissioner Robert E. Valade, Chairman
Commissioner James R. Tollner, Clerk
Commissioner Nicholas Dahl
Chief Andrew J. Lavoie
Deputy Chief Michael Carignan
Deputy Chief Denis Linehan
Karen Smith, NPD Business Manager (not in attendance)
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

Others Attending the Public Session:

Alderman Lori Wilshire (not in attendance)
Alderman Michael Soucy
Public Citizen

PUBLIC SESSION

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

MINUTES:

- November 17, 2015

MOTION: Commissioner Tollner made a motion to approve the minutes of the November 17, 2015, meeting. Motion seconded by Commissioner Dahl. All in favor.

BUDGET:

Business Manager Karen Smith was not in attendance. She provided the Commissioners with the following reports for their review.

Department Detail Expenditure Report FY2016

Strength Report:

The Commission received a copy of the November 2015 Strength Report.

November 2015	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	185	178	168	10
Total Sworn Part-Time		1	1	0
Total Non-Sworn Members	6	6	5	1
Total Part-Time Civilians	8	6	6	0
Total Full-Time Civilians	69	60	57	3
Total Grant Civilians	1	1	1	0
TOTAL:	269	252	238	14

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

ACTIVITY REPORT:

Verbal Report by Deputy Chief Denis Linehan:

The Holiday Stroll event was held last week. This year additional police manpower was assigned to the event due to current events in the country and lower staffing in past years. Additional assignments included Traffic Enforcement personnel, an Special Reaction Team (SRT) contingency, the Hazardous Device Unit (HDU) was on scene, and the NH State Police conducted a bomb sweep prior to the event.

Changes to the Traffic Unit assignments have been made to include assigning three officers primarily to second shift. They will be the same day off group as their Sergeant.

Verbal report by Deputy Chief Michael Carignan:

The Narcotics Intelligence Division (NID) and the POP Unit are in the process of conducting a large number of drug arrest warrants. A press release will be forthcoming.

The NPD C.A.L.E.A. re-accreditation is scheduled to take place December 13 – 16, 2015. Accreditation files were forwarded to C.A.L.E.A for their review in advance of the onsite visit. A public hearing is scheduled for Tuesday, December 15, 2015, at 6:00 p.m. in the department classroom. The public is welcome to attend and comments will be accepted.

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

CORRESPONDENCE FROM THE PUBLIC & OTHER AGENCIES:

The Chief gave the Commissioners an overview of the letters of appreciation received from the public and other outside agencies. Commissioners Tollner and Dahl commented that the public appears to be appreciative of the department's efforts and asked Chief Lavoie to thank the officers on the Commissioner's behalf.

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

RETIREMENT:

- Retirement of Sergeant Shawn Hill: Effective December 1, 2015

MOTION: Commissioner Dahl made a motion to accept the retirement of Sergeant Shawn Hill effective December 1, 2015. The motion was seconded by Commissioner Tollner. All in favor.

HIRING:

For the record, the following people will be sworn in as First Year Special Officers on December 21 & 22, 2015:

December 21, 2016:

- James M. Quinlan - First Year Officer – Certified

December 22, 2016:

- Matthew R. Alarie – First Year Special Officer
- Richard Debarros – First Year Special Officer
- Cameron M. Douglas – First Year Special Officer
- Kyle B. Ingersoll – First Year Special Officer

MOTION: Commissioner Tollner made a motion to accept the Notice of Hire approving the above-listed people to be sworn in as Nashua Police Officers. The motion was seconded by Commissioner Dahl. All in favor.

AWARDS:

For the record, the following Nashua Police Officer have received awards:

Commendation Bar for Meritorious Service: Craig Guillmette homicide (2014)

- Detective James Stone
- Detective John Goodridge

Commendation Bar for Lifesaving: Auto Accident with Injury

- Officer Alexander Gangi

Commendation Bar for Lifesaving: Unconscious Male (heroin overdose)

- Officer Kevin Delaney
- Officer Frank Lombardi

OTHER BUSINESS:

NARCAN:

Commissioner Tollner asked Chief Lavoie if NPD officers are carrying Narcan. Chief Lavoie responded that we are not carrying it at this time. NFR and ambulance personnel do carry Narcan and are the first responders for a medical emergency situation.

Appreciation/Recognition from the family of Officer Keith A. Trombley:

This past Sunday night, the mother and sister of the late Officer Keith Trombley came to NPD to meet 3rd shift officers who worked their son/brother prior to his death and to express their gratitude for the help and assistance the family received following his death. The family also plans on donating a granite bench in his memory for the Nashua Police Department grounds. The following plaque was presented:

“Presented to the Men and Women of the Nashua Police Department”

“In gratitude and deep appreciation for your untiring dedication and compassion in supporting our family, we offer our most sincere thanks.

May you always be protected from harm, filled with courage, strengthened in body and spirit, dedicated to doing your job well despite those who may scorn you, and compassionate towards those that need you.

*The family of Officer Keith A. Trombley
October 11, 1989 – May 6, 2015.”*

Commissioner Tollner will be meeting with the Nashua Telegraph in the near future and suggested submitting the recognition to the Telegraph for “Nashua on the Inside”.

Resolution R-15-183:

Alderman Soucy will be presenting Resolution R-15-183 regarding firearms license fee funds before the Board of Aldermen this evening.

MOTION: Commissioner Tollner made a motion to recommend amending the language to add "The Board of Police Commissioners or their designee" as the agent to expend funds. Motion seconded by Commissioner Dahl. All in favor.

Generator:

The new generator project went before Finance last week and was tabled in order to clarify some of the specifications.

Commissioner Tollner commented that he recently attended a Chamber event in Manchester with Presidential Candidate Jeb Bush, who is a big proponent of local law enforcement having a working relationship with the FBI. Chief Lavoie responded that the Nashua Police Department has a great working relationship with the FBI Bedford office and regularly share information. We also participate in the FBI Joint Terrorism Task Force and a Nashua Police Officer is assigned to the FBI Gang Task Force.

PUBLIC COMMENT:

Mr. Joseph Haas, Concord NH:

Mr. Joseph Haas attended the meeting tonight to air a complaint regarding him being asked to leave a scheduled "public auction" sponsored by the IRS that was held at the McLaughlin/Mayflower building regarding the "Brown Family" property. He stated that he is a member of the "public" and was told by treasury agents and a NPD officer working that detail job that the owner of the property did not want him on the property and would not allow him to attend the auction. He said he was told to leave under threat of trespass. It was his opinion that he is a "member of the public" and should have been allowed to attend the "public auction".

Commissioner Tollner asked Mr. Haas to outline his concerns to which Mr. Haas replied the following:

- He went there to attend a public auction which was held on private property.
- He was asked to leave; however, he feels he should have been allowed to attend at it was a public auction.
- He was not given a reason by the auction agent as to why he was asked to leave and not allowed to attend.
- He asked for a written apology from the NPD officer who was working the auction detail as the detail officer told Mr. Haas that he had to leave, under threat of trespass, per the request of the auction agent.
- It has cost him time, money, gas, & tolls to travel to the auction and was not allowed entrance.
- He has submitted a complaint to the American Civil Liberties Union but has not heard back from them.
- He is requesting that the NPD set up a policy regarding officers working a detail at public auctions.

Commissioner Valade commented that he spoke with Mr. Haas on the phone previously and explained that the auction was not sponsored by the Nashua Police Department but the IRS, it was held on private property, the officer was hired by the auctioning agents, and he was sorry that Mr. Haas was disappointed that he was not allowed to attend the auction. Commissioner Tollner reiterated that it was an IRS auction held on private property and the NPD only provided a detail officer. When asked if the detail officer was rude in any way, Mr. Haas responded that the officer was not rude and he handled his job correctly.

Mr. Haas responded that the only option he may have for remedy is to file in Small Claims Court. He also stated he will go to the American Civil Liberties Union to pursue his complaint further but he wanted to present his complaint to the Police Commissioners first and thanked them for listening to his complaint.

NEXT MEETING:

The next meeting is tentatively scheduled for January 19, 2015.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 6:45 p.m.

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

RSA 91-A:3, II(e) PENDING CLAIMS OR LITIGATION

Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any body, board, or agency for the purposes of this subparagraph

Motion by Commissioner Tollner, seconded by Commissioner Dahl.

A roll call vote was taken:

- Commissioner Valade – yes; Commissioner Tollner – yes; Commission Dahl - yes

MOTION TO SEAL RSA 91-A:3 III Chairman Valade asked for a motion to seal the minutes of this portion of the non-public session. Upon motion by Commissioner Tollner, seconded by Commissioner Dahl, motion carried. Chairman Valade – yes; Commissioner Tollner – yes; Commissioner Dahl – yes. Minutes sealed.

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: 6:52 p.m.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Tuesday, January 19, 2015

ADJOURNMENT

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

Time: 6:52 p.m.

Respectfully submitted,

Commissioner James Tollner, Clerk