

October 23, 2017

The Nashua Police Commission held a public meeting on Monday, October 23, 2017, 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 (not in attendance)
 Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

Others Attending the Public Session:

Alderman Liaison Lori Wilshire
 Citizen George Denault

PUBLIC SESSION

Commissioner Tollner called the meeting to order at 8:01 a.m.

MINUTES:

- September 18, 2017

MOTION: Commissioner Plante made a motion to approve the minutes of the September 18, 2017, meeting. Motion seconded by Commissioner Dahl. All in favor.

BUDGET:

Business Manager Karen Smith did not attend today's meeting; however, she provided the Commissioners with the following report.

FY2018 Expenditure Report:

The Expenditure Report includes 13 of 52 weeks of payroll which is 25% of the annual budget.

FY2018 Revenue Report:

The Commission received a copy of the September 31, 2017, Revenue Report.

FY2018 Weekly Payroll Overtime:

The overtime averaged \$28,364 per week during the month of September 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 September, the significant overtime was attributed to cases involving Disorderly Conduct, First Degree Assault, Endangering the Welfare of a Child, Criminal Threatening, Accident Investigation, Child Sex Abuse Image, AFSA, and training.

Payroll Cost Analysis and Forecast:

Karen Smith updated John Griffin's form "Police Department Payroll Cost FY2018". Basing the year on a weekly overtime of \$27,000 and an average weekly payroll of \$309,000 – \$324,600 including attrition, in-grade pay, and anticipated new recruits, we can use this form to forecast breaking even on the payroll accounts given any unforeseen circumstances such as major investigations.

Strength Report:

The Commission received a copy of the September 30, 2017, Strength Report.

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	186	179	175	4
Total Non-Sworn Members	6	6	4	2
Total Part-Time Civilians	6	5	4	1
Total Full-Time Civilians	69	62	59	3
Total Grant Civilians	1	1	1	0
TOTAL:	268	253	243	10

Comments:

Commissioner Dahl commented that software expenses seemed high. Deputy Carignan responded that most of the software agreements/upgrades are incurred during this time of the year.

Commissioner Plante commented that it seems that J. Lawrence Hall is frequently here working on air-conditioning repairs. Deputy Carignan commented that it would be very expensive to replace the system but it has been added as a future Capital Improvement project.

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 September 16, 2017, officers responded to the area of Sandy Pond Park for a reported sexual assault. It was learned that a 9-year-old female had been inappropriately touched by an adult male that was not known to her. Officers located the suspect, obtained admissions, and took him into custody. On September 18, 2017, upon seeing a news report regarding the sexual assault at Sandy Pond, a 12-year-old female disclosed that she too had been assaulted in a similar manner by the same suspect.

On September 1, 2017, officers were alerted that an unconscious 18-month-old child was taken to Southern NH Medical Center by his father. It appeared that the child may have come into contact with some type of opioid and suffered an overdose. The child was transported to a Massachusetts area hospital. Officer Berry was at the hospital at the time the child was brought in and he notified NPD of the situation and officers were dispatched quickly to lock down the residence. SID furthered the investigation.

On September 10, 2017, Sgt. Scott Hudon was monitoring the scanner within a supervisor vehicle when he heard State Police BOLO a suspect vehicle involved in a recent armed robbery in Manchester. The vehicle was last known to be traveling southbound on the F. E. Everett Turnpike. Sgt. Hudon organized Nashua officers to the area, and a short time later, Officer Gangi observed the suspect vehicle along with occupants matching the description provided in the BOLO. Several officers conducted a felony motor vehicle stop by Exit 2. Two of the three individuals were taken into custody on unrelated charges. Manchester Police were contacted and were furthering their robbery investigation.

On Friday, police responded to a barricaded subject with a gun incident that began between a male and his ex-wife. The ex-wife was able to flee the residence. A perimeter was set up, SWAT and the Crisis Negotiation team were called to the scene. Crisis Negotiation negotiated for several hours before the subject committed suicide. The ultimate goal of the negotiators is to get the subject to come out willingly, unfortunately, that doesn't always happen. There were no other injuries. It should be noted that while on scene, the Bearcat vehicle broke down and had to be towed from the scene. Manchester PD was notified and they responded with their Bearcat vehicle. In addition, four helicopters were in the area at the time. NPD contacted the FAA Center to restrict air traffic in the area. Area schools and the bus company were also notified to make sure there were no "walkers" in the area. NPD will make sure that all schools, including private schools, are notified if any future incidents occur.

Deputy Chief Michael Carignan reported the following:

The incident on September 1, 2017, regarding the 18-month-old child who may have come in contact with some type of opioid is currently still under investigation. The child is fine and is now in a safe environment.

The Services Bureau has been working with J. Lawrence Hall regarding air-conditioning issues. A new custodian has been hired to fill a vacancy and will be hired on October 30, 2017.

The Professional Standards Bureau has been conducting background investigations for civilian and police recruit candidates.

2017 Drug Statistics:

Total Heroin Overdoses:	195
Heroin Overdose Deaths:	33

Other:

Commissioner Tollner expressed his thanks to Lieutenant Bolton for taking the time to provide him with a "Ride-a-Long". He stated that he now has a new appreciation for a new type of policing efforts and the officer decision making process.

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

AUTHORIZED STRENGTH ADJUSTMENT:

Request to adjust the Commission Authorized Strength due to the resignation of one part-time Detention Specialist.

MOTION: Commissioner Tollner made a motion to approve changing the Commission Authorized Strength of one (1) part-time Detention Specialist position to one (1) full-time Detention Specialist position. The motion was seconded by Commissioner Plante. All in favor.

RESIGNATION:

- Master Patrolman Michael C. Hatzipetros (effective October 26, 2017)
- Master Patrolman Nicole M. Clay (effective November 11, 2017)

MOTION: Commissioner Dahl made a motion to accept the resignations as listed above. The motion was seconded by Commissioner Plante. All in favor.

CIVILIAN HIRING:

For the Record:

The following Civilians have been hired to fill vacant positions:

- Detention Specialist II Andrew J. Lyon: Effective October 23, 2017
- Custodian III Marc G. Moreau: Effective October 30, 2017

CIVILIAN PROMOTION / CHANGE OF POSITION:

For the Record:

- Secretary III Susan Poulin has been promoted to the position of Legal Secretary effective October 16, 2017.

MASTER PATROLMAN AND MASTER PATROLMAN II CERTIFICATIONS:

Master Patrolman:

The below listed Senior Patrolmen will complete a minimum of seven continuous years of service during 2017 and have satisfactorily completed all other requirements for certification to Master Patrolman.

Effective November 18, 2017:

- Senior Patrolman Steven Berry
- Senior Patrolman Kevin Pucillo

Effective December 21, 2017:

- Senior Patrolman John Hannigan
- Senior Patrolman Richard Sprankle
- Senior Patrolman Heather West
- Senior Patrolman Michael Yeomelakis

MOTION: Commissioner Plante made a motion to certify the above listed Senior Patrolmen to the rank of Master Patrolman on the above listed dates. The motion was seconded by Commissioner Dahl. All in favor.

Master Patrolman II:

The below listed Master Patrolmen will complete a minimum of twelve continuous years of service during 2017 and 2018 and have satisfactorily completed all other requirements for certification to Master Patrolman II.

Effective December 22, 2017:

- MPO Adam Anderson

Effective March 24, 2018:

- MPO Eric Boutwell
- MPO Christopher Ditullio

MOTION: Commissioner Tollner made a motion to certify the above listed Master Patrolmen to the rank of Master Patrolman II on the above listed dates. The motion was seconded by Commissioner Dahl. All in favor.

EXTRA DUTY SOLUTIONS:

Deputy Michael Carignan gave the Commissioners and overview of a tentative agreement/contract between the Nashua Police Department and Extra Duty Solutions. Extra Duty Solutions is a private company that manages "Outside Detail" services, scheduling, and payments. With the future resignation of our current Outside Detail Specialist, the department is looking to outsource this function. If approved, the company would work with NPD to adapt their procedures to suit our needs. The company would be paid on a percentage basis. The company is open 24/7 and will manage and coordinate all aspects of outside detail schedule requirements. Extra Duty Solutions is a nationwide company based out of Connecticut. The contract will be presented to the city Finance Committee on November 7, 2017. If approved, it will go into effect in early January 2018.

OTHER BUSINESS:

The Commissioners received a copy of a Summons in a Civil Action claim, Maurice A. Belmore, Jr., v. Nashua Police Department. The paperwork has been forwarded to the city Risk Management and to Corporation Counsel for further action regarding this case.

The Nashua Prevention Coalition relayed its appreciation to the Nashua Police Department for its participation in Red Ribbon Week from October 23-31, 2017. Red Ribbon Week is a drug and violence prevention awareness campaign observed annually. In support of the campaign, officers are authorized to wear the "red ribbon" on their uniform.

PUBLIC COMMENT:

Alderman Wilshire commented that she recently attended the Nashua Police Citizens Academy and found it very informative. She stated the women police presenters were fantastic.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 8:57 a.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 Plante, seconded by Commissioner Dahl.

A roll call vote was taken:

- Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes
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NON-PUBLIC SESSION

MINUTES SEALED

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

Item #2:

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 Plante, seconded by Commissioner Dahl.

A roll call vote was taken:

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

NON-PUBLIC SESSION

MINUTES SEALED

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

Item #3:

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 Dahl, seconded by Commissioner Plante.

A roll call vote was taken:

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

NON-PUBLIC SESSION

MINUTES SEALED

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

Item #4:

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 Dahl, seconded by Commissioner Plante.

A roll call vote was taken:

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

NON-PUBLIC SESSION

MINUTES SEALED

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

Item #5:

RSA 91-A:3, II (b) HIRING. “The hiring of any person as a public employee”

Motion by Commissioner Tollner, seconded by Commissioner Plante.

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: 9:44 a.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.....”

Item #2: RSA 91-A:3, II (a),

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

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

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

Item #4: RSA 91-A:3, II (a),

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

Item #5: RSA 91-A:3, II (b)

“The hiring of any person as a public employee”

MOTION: Motion by Commissioner Tollner, seconded by Commissioner Plante, to seal the minutes of the Non-Public Session (**Item #1, 2, 3, 4, 5**) as authorized above.

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

COLLECTIVE BARGAINING AGREEMENT: TEAMSTERS

Collective Bargaining Agreement between the Nashua Board of Police Commissioners and Teamsters Local 633 (effective July 1, 2017 – June 30, 2020).

MOTION: Commissioner Tollner made a motion to approve the Summary of Changes as outlined to the collective bargaining agreement between the Nashua Board of Police Commissioners and Teamsters Local 633, effective July 1, 2017 – June 30, 2020. The agreement will then move on to the Board of Alderman for final approval. The motion was seconded by Commissioner Dahl. All in favor.

COLLECTIVE BARGAINING AGREEMENT: COMMUNICATIONS

Collective Bargaining Agreement between the Nashua Board of Police Commissioners and Nashua Police Communications Employees N.E.P.B.A. Local 125, I.U.P.A., AFL-CIO (July 1, 2011 - June 30, 2016)

MOTION: Commissioner Plante made a motion to approve the Summary of Changes as outlined to the collective bargaining agreement between the Nashua Board of Police Commissioners and Nashua Police Communications Employees N.E.P.B.A. Local 125, AFL-CIO, effective July 1, 2016 – June 30, 2019. The agreement will then move on to the Board of Alderman for final approval. The motion was seconded by Commissioner Dahl. All in favor.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, November 20, 2017, at 8:00 a.m.

ADJOURNMENT

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

Time: 9:47 a.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk