

October 28, 2014

The Nashua Police Commission held a meeting on Tuesday, October 28, 2014, at the Nashua Police Department.

**Members present:**

Commissioner Thomas A. Maffee, Chairman  
Commissioner Robert E. Valade, Clerk  
Commissioner Carl Andrade  
Chief John Seusing  
Deputy Chief Andrew Lavoie  
Deputy Chief Michael Carignan  
Karen Smith, NPD Business Manager  
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

**Others Attending the Public Session:**

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

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**PUBLIC SESSION**

Commissioner Maffee called the meeting to order at 6:02 p.m.

**CONFIRMATION/REAPPOINTMENT:**

The Executive Council confirmed Governor Maggie Hassan's nomination for reappointment of Robert Valade for Police Commissioner. His term will be September 1, 2011, to September 1, 2017.

**MOTION:** Commissioner Andrade made a motion to acknowledge Commissioner Valade's confirmation/reappointment to the Nashua Police Commission. Seconded by Commissioner Maffee. Motion carried.

**MINUTES:**

- September 16, 2014
- September 22, 2014
- September 25, 2014
- October 2, 2014

**MOTION:** Commissioner Andrade made a motion to approve the minutes of the meetings on the above listed dates. Motion seconded by Commissioner Valade. Motion carried.

**PUBLIC COMMENT:**

There were no public comments.

**BUDGET:**

Business Manager Karen Smith provided the following budget report.

**Grants:**

Funding in the amount of \$6,084 has been approved by the State of NH, Highway Safety Agency, for the "Nashua Operation Safe Commute Patrols" which will be conducted during the period of October 2014 through September 2015.

**Department Detail Expenditure Report FY2015:**

Twelve (12) of fifty two (52) payroll weeks have been processed or should be at 23% of the average appropriation. The budget report reflects that we are operating at 23.93% in the 51 Salaries and Wages accounts. The Full-time Payroll account is at 22.4%. The overtime account is expended at 31.4% of the overtime budget. Although the payroll is not spent equally each week due to holiday pay, longevity pay, and in-grade promotions that run throughout the year, the percentage calculation does tell us about how the overtime has increased and the payroll is not at maximum due to increased vacancies. With the promotions taking effect on October 20, 2014, in addition to four officers finishing procedure school and beginning duties on the street, we should see the overtime decrease and the payroll increase. When up to seven officers are hired in January, we will need the overtime to come down again as there will not be payroll vacancy surplus to offset the overtime. We expect two more recruits to finish the academy and procedure school by March 2015, and this will help eliminate some overtime costs.

**FY2015 Weekly Payroll Overtime:**

The average weekly overtime for the month of September was \$26,617 and comparable to July and August of this fiscal year plus May and June of FY2014. This is still an increase from the \$20,000 we saw in the fall 2013 and in March and April of the last fiscal year. The overtime for FY2015 included 4<sup>th</sup> of July activities in the amount of \$9,000 paid in July. We also had increase in coverage overtime for July and the last week of July included an SRT callout in the amount of \$2,169. August overtime included an increase in regular overtime in the area of evidence, legal, fleet, building, and miscellaneous including an SRT callout in the amount of \$1,295 as well as higher overtime in investigative and coverage overtime. September saw overtime with two SRT call

outs, one at the beginning of the month in the amount of \$2,151, and a second at the end of the month in the amount of \$3,822. Coverage and Investigative overtime was higher during some weeks in the month of September.

**Overtime Coverage Multi-Year Comparison Report:**

The multi-year coverage report for the month of September 2014 is \$33,386 down from \$52,078 in July and \$44,225 in August but higher than last year for September. This fiscal year, we had higher vacancies and officers in training than this time last year.

**Payroll and Overtime Graphs:**

- **NPD Monthly Overtime (All Types) FY2013, FY2014 and FY2015 Comparison:**

The FY2015 budgeted overtime is \$83,968 for all budgeted overtime collectively. The graph shows the trend comparison for FY2013, FY2014, and FY2015 compared to the budgeted amount. Please note that the blue line for FY2013 had forced intervention during an eight- week period in May and June by reassigning the POP Unit personnel and other temporary measures taken to limit overtime due to budget deficiencies.

- **NPD Coverage Overtime Fiscal Years 2013 to 2015 Comparison:**

The coverage overtime in red is FY2014 and last year's overtime often came back down into the low \$20,000 range to keep in line with the budget. In comparison, FY2013 ran much higher most of the year until the overtime was forced to be dropped in May and June. FY2015 is running high for the first quarter of 2015, and we hope to see relief with promotions and officers being available upon completion of procedure school.

- **NPD Monthly Investigative Overtime FY2013 – FY2015 Comparison:**

Investigative overtime has its own trend for each year depending on cases.

- **NPD Budgeted Payroll FY2013 – 2015 Comparison:**

This chart simply demonstrates that full-time payroll has trended pretty much the same over the past three years especially with contracts being very consistent during the analysis period and unsettled agreements. The payroll trended both above and below the monthly budget again based on vacancies; however, the payroll was used to offset the overtime overages.

- **NPD Fiscal Year Overtime Coverage Analysis FY2014 and FY2015 YTD Comparison:**

This analysis is based on the study of excused absences. The excused absences in FY14 for first quarter averaged 550 hours per month with an average of 83 hours per month overtime coverage. The excused absences in first quarter of FY2015 averaged 617 hours per month with 122 overtime hours per month coverage.

**Overtime Tracking by Specific Case or Significant Occurrence:**

The Commission received a copy of the report showing the overtime cost for recent major cases and robberies. The report for September included the overtime for two SRT call outs and numerous cases, some for overtime worked in late August that was paid in the first week of September.

**FY2015 Revenue Report:**

The Commission received a copy of the September 2014 Revenue Report.

**Strength Report:**

The Commission received a copy of the September 2014 Strength Report.

| <b>September 2014</b>     | <b>Commission Authorized</b> | <b>Budgeted</b> | <b>Positions Filled</b> | <b>Vacant Budgeted Positions</b> |
|---------------------------|------------------------------|-----------------|-------------------------|----------------------------------|
| Total Sworn Full-Time     | 185                          | 178             | 174                     | 4                                |
| Total Sworn Part-Time     |                              | 1               | 1                       | 0                                |
| Total Non-Sworn Members   | 6                            | 6               | 4                       | 2                                |
| Total Part-Time Civilians | 9                            | 6               | 5                       | 1                                |
| Total Full-Time Civilian  | 68                           | 62              | 60                      | 2                                |
| Total Grant Civilian      | 1                            | 1               | 1                       | 0                                |
|                           |                              |                 |                         |                                  |
| <b>TOTAL:</b>             | <b>269</b>                   | <b>254</b>      | <b>245</b>              | <b>9</b>                         |

**Quarterly Special Revenue Fund and Grant Reports:**

The Commission received a copy of the quarterly Special Revenue Fund & Grant report. The report includes the following:

- 4020: Police Drug Enforcement Fund
- 4022 US Treasury Forfeiture Fund
- 4025 DOJ Drug Forfeiture Fund
- 4032 Pistol Permit Fees Fund
- JAG Grants
- VAWA Grant
- Bullet Proof Vest Grant
- NH HWY Safety Grants

**CERF and Finance Committee Meeting Update:**

- The ammunition order was approved and the order has been placed. Some of the ammunition is already coming in from Riley's.
- The 2015 Building Maintenance vehicle, F250, was approved at both CERF and Finance on October 15<sup>th</sup>.
- Unit 15 was an accident vehicle and received CERF and Finance approval on October 15.
- MHQ had a vehicle on the lot which will expedite the replacement process by avoiding the ordering delay of 12 weeks.
- The ballistic helmet bid has been received and we will request that it go to Finance for the low bidders order on 11/5. We had to wait for the grant resolution to get through the legislative process. We will coordinate the Request for Finance to go on the 11/5 Finance meeting and the final approval of the grant resolution going to the Full Board of Aldermen on 10/28.
- The telephone project is pending with City IT.
- Open house overtime was paid with a grant.
- Providing the Commissioners give their approval, Chief Seusing wants to start the bid process for the purchase of NPD Class A Uniform ceremonial gear for all officers. Should an officer retire or resign from the department, the gear would be put into inventory and re-issued to new officers. Last year the estimate for the gear was approximately \$50,000; however, the request for bid was held up by Mayor Lozeau. We anticipate this year's bid to be in the \$40,000 range.

**MOTION:** Commissioner Andrade made a motion to start the bid process and send a request to the Finance Committee for approval to purchase Class A Uniforms in an amount not to exceed \$50,000. Motion seconded by Commissioner Valade.

**MOTION:** Commissioner Valade made a motion to accept the budget reports and place on file. Motion seconded by Commissioner Andrade. Motion carried.

**ACTIVITY REPORT:**

***Verbal report by Deputy Chief Michael Carignan:***

Deputy Michael Carignan reported on an incident in which Miguel Ortiz was arrested for Felony Reckless Conduct and Felony Falsifying Physical Evidence after discharging a firearm during a disturbance on West Hollis Street. Two third shift officers did an excellent job getting the crowd under control and identifying suspects in the case.

On October 18, 2014, the City of Keene held their annual "Pumpkin Fest". Five Nashua Police Officers were hired by Keene to work at the event. During the evening, a riot broke out, and Keene requested the assistance of our Special Reaction Team. A total of 27 SRT officers were dispatched for mutual aid. SRT arrived and secured at 3:00 a.m. Manchester PD and State Police also assisted. We are seeing more frequent situations similar to this throughout the country so NPD is preparing for this type of scenario.

In October, we received a request for members of our Clandestine Lab Unit to assist with a search warrant of a possible meth lab. These labs are extremely dangerous as any spark can set off an explosion. Our members assisted with the search warrant and with preserving evidence. Two arrests were made.

There was a robbery at gunpoint at the East Hollis Street Variety Store yesterday. Officer Weiss was on patrol in the area and observed a speeding truck with a driver that matched the description of the suspect and suspect vehicle. He stopped the vehicle and took two people into custody.

***Verbal report by Deputy Chief Andrew Lavoie:***

A Police Recruit exam was held on Saturday, October 18, 2014. There were 260 paid applicants who signed up; however, only 162 applicants showed up. Out of these 162 applicants, 105 passed the written test with 48 passing both the written and the physical agility test. Oral board interviews were scheduled and began for all recruits who passed both the written and the PT test. Secondary interviews will also be scheduled. The next police academy begins on January 5, 2015, with the subsequent scheduled academy sometime in May 2015.

We continue to see a rise in heroin overdose cases with two heroin overdose deaths this week. To date this year, there have been 103 heroin overdoses compared to 48 during all of last year. This October there were 18 overdoses compared to 3 last October. Not all of these overdoses resulted in death.

Deputy Lavoie reported on an incident in September in which a citizen came into the PAL Center screaming, looking for assistance from a police officer. Officer Belmont, the PAL officer, and the citizen responded to a nearby residence where a female was located who appeared to have overdosed. Officer Belmont and other responding officers performed CPR and were able to stabilize her until NFR and AMR ambulance personnel arrived at the scene. She was transported for medical care; unfortunately, she passed away a few days later. It should be noted that the police department does not carry Narcan for overdose reversal purposes as NFR and AMR are very quick in responding to medical situations as any medical related 911 call is routed to them first.

**MOTION:** Commissioner Valade made a motion to accept the activity report. Motion seconded by Commissioner Andrade. Motion carried.

**RESIGNATION:**

- Patrolman Matthew Giftos: Resigned effective October 8, 2014.

**MOTION:** Commissioner Andrade made a motion to accept the resignation of Patrolman Matthew Giftos effective October 8, 2014. The motion was seconded by Commissioner Valade. Motion carried.

**RECLASSIFICATION OF POSITION:**

For the record, the Records Manager position has been reclassified to the position of Records & Communications Manager effective October 1, 2014.

**CORRESPONDENCE FROM THE PUBLIC AND OTHER AGENCIES:**

The Commissioners received copies of letters of appreciation from the public and other outside agencies.

**MOTION:** Commissioner Valade made a motion to accept the correspondence and place on file. The motion was seconded by Commissioner Andrade. Motion carried.

**MASTER PATROLMAN CERTIFICATIONS:**

The following Senior Patrolmen have or will have completed a minimum of seven continuous years of service during 2014 and 2015 and have satisfactorily completed all other requirements for certification to Master Patrolman.

***Effective December 18, 2014:***

- Senior Patrolman Linnea French
- Senior Patrolman John Cinelli
- Senior Patrolman Caleb Gilbert

***Effective March 30, 2015:***

- Senior Patrolman Kyle Crosson
- Senior Patrolman John Goodridge
- Senior Patrolman Lauren Hawkesworth
- Senior Patrolman Andrew Lane
- Senior Patrolman Matthew McConnell
- Senior Patrolman Timothy Orrico
- Senior Patrolman Andrew Roy

**MOTION:** Commissioner Andrade made a motion to certify the above listed Senior Patrolmen to the Rank of Master Patrolman on the respective effective date. The motion was seconded by Commissioner Valade. Motion carried.

**FIRST YEAR SPECIAL OFFICER BENEFIT PACKAGE:**

***Article 12: Holiday:***

Change Washington's Birthday to Presidents' Day. This change will align both the First Year Officer benefit package with the Patrolmen's collective bargaining agreement regarding this holiday.

**MOTION:** Commissioner Andrade made a motion to approve the holiday change in the First Year Special Officer benefit packages. The motion was seconded by Commissioner Valade. Motion carried.

**OTHER BUSINESS:**

***Police Athletic League:*** The Police Athletic League (PAL) will be celebrating its 25<sup>th</sup> anniversary on November 7, 2014, from 6:00-8:00 p.m. at the St. Patrick's Center. Invitations have been sent to include former Nashua Police Chiefs. Chief Seusing stated that through the years, the Nashua Police Department has never donated monetarily to the center and in celebrating 25 years of service to the community, he would like to make a one-time donation of \$5,000, which could be funded through the NPD pistol or forfeiture account. PAL had also inquired into the possibility of NPD sponsoring five PAL families for the upcoming holidays (for a total of \$2,500) and with providing pizza for their annual children's holiday party. A \$5,000 donation could be used towards the sponsorship.

**MOTION:** Commissioner Valade made a motion to approve a one-time monetary gift of \$2,500 to the Police Athletic League on their 25<sup>th</sup> Anniversary of service to the community. Seconded by Commissioner Andrade.

**Footrace for the Fallen:**

Nashua PD one the First Place Team at the annual Footrace for the Fallen. Officer Dewitt took first place in the race.

***Retirement:***

Chief John Seusing submitted his official retirement to the Police Commissioners effective January 1, 2015, following a 32 year career with the Nashua Police Department.

**MOTION:** Commissioner Andrade made a motion to accept Chief Seusing's retirement, with regrets, effective January 1, 2015. Seconded by Commissioner Valade.

Commissioner Andrade went on to say that he was very impressed with the great job Chief Seusing has done. He was very impressed with the recent open house that was open to the community, and he commented on the new NPD sign. He also stated that he was pleased that all the contracts were passed and that he will be leaving

the department in very good shape going forward.

***Promotion to Chief of Police:***

The Commissioners are recommending Deputy Chief Andrew Lavoie as Chief Seusing's successor. Deputy Lavoie has been a member of the Nashua Police Department since 1987. He has held numerous command assignments within the department including the Uniform Field Operations Bureau, Detective Bureau, and Professional Standards Bureau. He has been a member of the command staff since 2007. Deputy Lavoie obtained his Masters Degree in Criminal Justice Administration from Western New England College and his Bachelor's Degree in Criminal Justice from Franklin Pierce College. He is a graduate of Leadership Greater Nashua and is a U.S. Navy veteran. He is currently a member of the Nashua Exchange Club and a member of the Board of Directors for Bridges Sexual and Domestic Violence Support.

**MOTION:** Commissioner Valade made a motion to promote Deputy Chief Andrew Lavoie to the position of Chief of Police effective January 1, 2015. The motion was seconded by Commissioner Andrade. Motion carried.

A press release will be forthcoming on Wednesday morning.

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**NON-PUBLIC SESSION**

**MINUTES SEALED**

**PUBLIC SESSION INTO NONPUBLIC SESSION:**

**MOTION:** Commissioner Maffee 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)**

**Motion by Commissioner Andrade, seconded by Commissioner Valade. Motion carried.**

***A roll call vote was taken:***

- Commissioner Maffee – yes; Commissioner Valade – yes; Commissioner Andrade – yes

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**END OF NON-PUBLIC SESSION:**

**MOTION:** Commissioner Andrade made a motion to end the non-public session and return to public session. Motion seconded by Commissioner Valade. Motion carried.

**MOTION TO SEAL RSA 91-A:3 III:** Commissioner Andrade made a motion to seal the minutes of the non-public session. The motion was seconded by Commissioner Valade.

***A roll call vote was taken:***

Commissioner Maffee – yes; Commissioner Valade – yes; Commissioner Andrade – yes. All in favor. Minutes sealed.

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**TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:**

Wednesday, November 12, 2014.

**ADJOURNMENT**

**MOTION:** Commissioner Valade made a motion to end the public session and adjourn the meeting. Motion seconded by Commissioner Andrade. Motion carried.

**Time: 8:04 p.m.**

Respectfully submitted,

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Commissioner Robert Valade, Clerk