

January 8, 2018

The Nashua Police Commission held a public meeting on Monday, January 8, 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 7:59 a.m.

Commissioner Tollner welcomed newly sworn in Alderman Ernest Jette to the Police Commission meeting. Alderman Jette will be the new Aldermanic Liaison. Alderman Lori Wilshire will be the alternate Aldermanic Liaison.

MINUTES:

- November 20, 2017

MOTION: Commissioner Plante made a motion to approve the minutes of the November 20, 2017, meeting. Motion seconded by Commissioner Dahl. All in favor.

BUDGET:

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

Grants:

Grant funds approved in the amount of \$8,076 from the State of NH, Department of Safety, Office of Highway Safety, for the purpose of paying for overtime and benefits for the Nashua Distracted Driving Program.

FY2018 Expenditure Report:

The Commission received a copy of the November 30, 2017, Expenditure Report. The Expenditure Report includes 22 of 52 weeks of payroll which is 42% of the annual budget.

FY2018 Revenue Report:

The Commission received a copy of the November 30, 2017, Revenue report.

FY2018 Weekly Payroll Overtime:

The overtime averaged \$35,207 per week during the month of November primarily due to coverage, investigative, and the Holiday Stroll (\$15,487).

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 November, the significant overtime was attributed to a kidnapping incident, the Holiday Stroll, and Veteran's Day.

Payroll Cost Analysis and Forecast:

CFO 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 \$311,000 – \$316,000 including attrition, in-grade pay, and anticipated new recruits, we can use this form to forecast the year-end balance on the payroll accounts given any unforeseen circumstances such as major investigations. The current projected year-end surplus is approximately \$40,000.

Strength Report:

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

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	186	179	173	6
Total Non-Sworn Members	6	6	4	2

Total Part-Time Civilians	5	5	4	1
Total Full-Time Civilians	70	62	62	0
Total Grant Civilians	1	1	1	0
TOTAL:	268	253	244	9

Functional Strength Analysis:

The Functional Strength Analysis for the month of November is ten. This is made up of a combination of six vacancies and four officers at the academy.

In December the four officers will graduate and move to field training. Also in December, one new recruit was sworn in and is currently at the academy, plus the current sworn vacancies of five, plus the current FTO of four, leaves the functional strength remaining the same for December at ten.

Chief Lavoie gave Alderman Jette and overview of “functioning strength” and how that compares to the strength report. He also explained Commission Authorized vs. Budgeted vs. Positions Filled on the strength report. A brief overview of the police recruit testing was also discussed.

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 November 3, 2017, officers responded to Main Dunstable Road for a stabbing. Upon arrival it was determined the incident took place at Motel 6 on Progress Avenue. The victim advised that her boyfriend stabbed her in the arm. The victim was transported to St. Joseph’s Hospital for a minor stab wound. The suspect fled the scene.

On December 4, 2017, officers responded to a TD Bank located at 10 Gusabel Avenue for a robbery. The suspect fled in a red truck. CID was notified and furthered the investigation. There was a very good eye witness who provided information on the vehicle. Dispatchers were able to track down the vehicle’s owner. The suspect was later taken into custody by Connecticut authorities where he was allegedly involved in other robberies in that state.

On December 18, 2017, officers responded to Motel 6 located at 2 Progress Avenue for a stolen motor vehicle from Londonderry, NH. The vehicle was located and a foot pursuit ensued with an occupant from the vehicle. The suspect was apprehended. The suspect was then transported to NPD; and, during his transfer to the booking area, he managed to slip out of the handcuffs and then fled on foot. The suspect was quickly apprehended. He did assault the officer with the handcuff causing lacerations to the officer’s facial/head area. The officer was treated at SNHRMC and released. He was charged with multiple felonies. Alderman Jette questioned how a prisoner would escape from handcuffs. Deputy Linehan responded that there are many reasons how this could happen including heavier winter clothing, the cuff not being tight enough, etc. The department continuously provides additional training in order to minimize this type of situation.

On December 5, 2017, officers responded to Wood Street for a burglary. A suspect has been identified. This was one of three burglaries in the north end area.

On December 13, 2017, SWAT was activated for a high-risk warrant on Sheridan Street. The warrant was served without incident and two defendants were arrested on the warrants and eight other individuals were located in the residence and eventually released.

Deputy Chief Michael Carignan reported the following:

Last year, NPD disbanded the “Burglary Unit” in order to align manpower needs. During the past two months, there have been 31 burglaries, including 5 commercial burglaries. A total of 8 burglaries have been cleared with arrests. Suspects have been identified in some of the other burglaries. Our Community Police Coordinator did reach out to the Crime Watch captains to inform them of the recent burglary arrests.

2017 Drug Statistics:

- Total Heroin Overdoses: 245 (compared to 352 in 2016)
- Heroin Overdose Deaths: 43 (compared to 43 in 2016)

It should be noted that overdoses are down and may be attributed to the increased availability of Narcan on the street. The Department continues to investigate all drug overdoses and tries to find out who supplied the drug to the overdose victim. Alderman Jette questioned why people overdose and if they are incompetent regarding the dosage they take. Deputy Carignan replied that addicts are always chasing the high and sometimes are not aware of what or how much the drug is mixed with and they don’t always know exactly what they are getting. It should be noted that the NPD drug statistics does not match with the drug statistics from AMR due to many reasons, much of which is attributed to how a call is recorded and that AMR doesn’t always go to a call. The NPD Crime Analyst coordinates statistics with AMR on a continual basis.

Legal Bureau:

Captain James Maloney will be retiring in the near future; therefore, Captain E Z. Paulson has been transferred to the Legal Bureau where he is transitioning to the position of Legal Bureau Commander.

Professional Standards Bureau:

A Police Recruit Test is scheduled for January 27, 2017. There are 40 applicants on the list for testing as of today.

Information Technology:

The IT Division is researching printers for the cruisers. The Department of Safety is requesting, but not mandating, that departments install printers for printing tickets directly during motor vehicle stops. The driver would receive the hard copy and the state would receive the electronic ticket. State Police is currently using printers. Printers cost approximately \$900 each with additional costs for mounting. There is some grant money available through Highway Safety and this grant money is being researched further.

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

CIVILIAN RESIGNATION:

- ***Outside Detail Specialist Robert Siebert:*** Resignation effective January 17, 2018.

MOTION: Commissioner Plante made a motion to accept the resignation of Outside Detail Specialist Robert Siebert effective January 17, 2018. The motion was seconded by Commissioner Dahl. All in favor.

SWORN HIRE:

For the Record:

- ***Stefanie E. Welch*** was sworn in as a First Year Special Officer on December 20, 2017. Her hire was previously approved by the Police Commissioners.

OTHER BUSINESS:

Parking Enforcement Specialists:

Effective January 15, 2018, the City will be taking over the management of the Parking Enforcement Specialist personnel. Commissioner Tollner and Chief Lavoie previously met with city officials regarding this change. Deputy Denis Linehan has been working with the city to transition these employees from under the control/management of the Police Department to control/management of the city. It should be noted that the city will take full responsibility for all aspects of parking enforcement, including complaints. NPD is in the process of removing all MDT units and radio systems from the vehicles. Once transitioned, they will be issued citywide radios and other needed equipment. They will continue to work with the Police Department regarding vehicle tows until further ordinance details can be worked out. NPD will continue to work with the city to iron out any remaining details of the transition. The Police Commission will remove Parking Enforcement from the current ACO/Parking Enforcement benefit package in the near future.

MOTION: Commissioner Tollner made a motion to approve transitioning Parking Enforcement Specialists positions to the control and overall management by the City of Nashua beginning on January 15, 2018. The motion was seconded by Commissioner Plante. All in favor.

Extra Duty Solutions:

Due to the upcoming resignation of our Outside Detail Specialist employee, our new vendor, Extra Duty Solutions, has begun the process of managing all NPD Outside Details. The transition has been smooth thus far.

HB951:

Chief Lavoie will be testifying at the State House regarding HB561, which is a re-referred House Bill that has been amended to change the working hours for part-time retirees from 32 hours each week to 20 hours each week. If passed this bill would adversely affect this department due to the fact that we have four retirees who are employed part-time at 32 hours per week at the department. The affected positions are the Accreditation Manager, Senior Relations Specialist, Police Attorney, and Radio Systems Manager. The personnel in these positions are civilian positions that are filled by highly qualified personnel who are retired police officers.

PUBLIC COMMENT:

There were no public comments.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 9:16 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 Tollner, 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 #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 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 Plante.

RETURN TO PUBLIC SESSION: 9:29 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.....”

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

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

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, February 12, 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 Plante.

Time: 9:29 a.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk
