

April 10, 2017

The Nashua Police Commission held a public meeting on Monday, April 10, 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
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

Others Attending the Public Session:

Alderman Liaison Lori Wilshire (not in attendance)

PUBLIC SESSION

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

MINUTES:

- March 20, 2017

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

BUDGET:

Business Manager Karen Smith provided the Commissioners with the following reports for their review. Ms. Smith discussed the following:

FY2017 Department Detail Expenditure Report:

The Expenditure Report includes 39 weeks of 52 weeks of payroll and is at 75% of the annual budget.

The last three weeks of overtime for March was at \$26,000 per week or well below. In May, the overtime account will be reviewed to better determine the amount of funds that will need to be transferred from the gasoline operational account.

The utility accounts are running true to budget except for the unleaded fuel account which we have been anticipating a significant surplus due to the steady fuel prices.

FY2017 Department Detail Revenue Report:

The Commissioners received a copy of the March 31, 2017, Revenue Report.

FY2017 Weekly Payroll Overtime:

The overtime averaged \$28,340 per week during the month of March due primarily to coverage and investigative overtime.

FY2017 Overtime Tracking by Specific Case or Significant Occurrence:

The Commission received a copy of the FY2017 Monthly Overtime Tracking by Specific Case Number or Significant Occurrence report showing the overtime cost for recent major cases and/or significant occurrences. During March, the significant overtime was attributed to an additional \$8,374 for the Elm Street case and \$6,863 for a sudden death case on Ash St. Other cases included receiving stolen property, a runaway, sale of controlled drug, 1st degree assault, field training officer overtime, dive training, K9 training, and Use of Force training.

Payroll Cost Analysis and Forecast:

Karen Smith updated John Griffin's form "Police Department Payroll Cost FY2017" by using two cost scenarios. Basing the year on a weekly overtime of \$24,000 and an average weekly payroll of \$314,500, we can forecast close to breaking even on the payroll accounts given any unforeseen circumstances such as major investigations. The second scenario is probably more attainable at \$31,000 overtime per week because it is closer to the weekly overtime average of \$34,000 we have been averaging recently. This would result in an approximate overage of (\$89,412) by year end. This would require a transfer from the operational accounts to offset the overage in payroll. We will reassess in May to better determine an amount needed.

Strength Report:

The Commissioners received a copy of the March 31, 2017 Strength Report.

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	186	179	174	5
Total Non-Sworn Members	6	6	5	1
Total Part-Time Civilians	6	5	5	0
Total Full-Time Civilians	69	62	61	1
Total Grant Civilians	1	1	1	0
TOTAL:	268	253	246	7

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

(For informational purposes only)

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 (General)

Special Revenue Revolving Funds:

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

Grants:

- 50.1001.14.01 JAG14 Justice Assistance Grant
- 50.1001.15.01 JAG15 Justice Assistance Grant
- 50.1001.16.01 JAG16 Justice Assistance Grant
- 50.1003.16.01 VAWA FY16 Domestic Violence Grant
- 50.1005.15.01 Bulletproof Vest Partnership Grant
- 50.1006.17.01 NH Hwy Safety – Nashua Step Grant
- 50.1006.17.04 NH Hwy Safety – Pedestrian Patrol Grant
- 50.1006.17.08 NH Hwy Safety – Nashua DWI/DUI Patrol
- 50.1011.17.01 Law Enforcement OARI (Granite Hammer Drug)
- 50.1010.17.02 Homeland Security – Tactical & Hazmat Robot

MOTION: Commissioner Dahl 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 March 23, 2017, officers responded to SNHMC for a reported stabbing victim in the emergency room suffering from a significant stab wound to the neck (by someone known to her). Officers located and apprehended the suspect in the area of Elm Street a short time later.

On March 24, 2017, officers responded to a Main Street address to assist NFR with a house fire on the third floor. NFR began working to extinguish the fire and found an unresponsive male on the kitchen floor. The male subject was immediately transferred to a Boston area hospital where he later passed away from his injuries. The investigation is ongoing.

Deputy Linehan reported that NPD put a stealth speed vehicle in the area of Pine Hill Road over the weekend. This stemmed from a citizen complaining on social media of excessive speeding vehicles in the area. The results showed that a total of 23,000 vehicles went through the area. The posted speed limit is 30 mph and the average vehicle speed was 33.77 mph. A total of four cars were stopped. NPD later made contact with the complainant's wife regarding NPD's assignment and findings in the area.

On April 8, 2017, officers responded to a keep the peace call in which officers saw a firearm in the hand of the resident. During the conversation with the subject, it became evident that she was going to harm herself. Two bean bag rounds were deployed and officers charged towards her to secure the firearm at which time the subject removed the firearm from her back pocket. An officer was able to control her arm and keep the firearm pointed at the ground. However, during the ensuing struggle, she was able to pull the trigger and discharged one or two rounds into the ground. She was ultimately placed into protective custody. Due to the nature of this incident, the

Critical Incident Management Unit will conduct a confidential "debrief". The CIMT Units (Nashua and other NH communities) were formed in order to assist officers or their families across the state that may need assistance with stress management. The team has been very successful in offering assistance following incidents such as shootings, the death of a child, etc. Participation is on a voluntary basis.

Commissioner Tollner asked for clarification on the calls for service number. Deputy Linehan stated that the calls for service include motor vehicle stops, anything involving a report, school checks, field contacts, or whenever a call for service is generated.

Commissioner Tollner also asked about NPD conducting "Ride-a-Longs" with citizens as he was concerned about any safety factors. Chief Lavoie stated that "Ride-a-Longs" don't occur very often and are occasionally done for members of the Board of Aldermen, the Mayor, or occasionally someone from Leadership Greater Nashua. We have also done them rarely as part of a charity event. Commissioner Tollner requested that the Police Commissioners be informed prior to any "Ride-a-Long" being conducted.

Deputy Chief Michael Carignan reported the following:

On March 16, 2017, the POP Unit was in the area of Arel Manor when they watched a thief steal a car. The thief then rammed the car into a cruiser and took off. The investigation is ongoing.

Two sexual assault on children cases recently went to trial and the defendants were successfully convicted. Sentencing was imposed in both cases.

Overdose cases have been trending downward. There have been 48 overdoses with 6 deaths year to date. Deputy Carignan attributes to decrease to NPD's aggressive patrol tactics. Heroin and opiates are getting more difficult to find in Nashua.

Deputy Carignan testified before the legislators regarding HB614 (forfeiture funds). The bill has already passed the House. We will know more on the status of the bill this week once it gets out of committee and before it goes before the Senate.

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 other outside agencies. Letters included one from Children's Hospital at Dartmouth-Hitchcock thanking Officer Michael Dore for raising more than \$25,000 during the Chad Battle of the Badges.

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

CIVILIAN PROMOTION:

For the Record

- ***Sara Anderson:*** Promoted from a Records Technician I to a Records Technician II effective March 27, 2017.

HIRING:

For the Record.

- ***Jeffrey S. Page*** will be sworn in as a First Year Special Officer on April 18, 2017. The Academy PT test is scheduled for April 17, 2017.

RESIGNATION:

- Detention Specialist Kim Johnson: Resignation effective June 3, 2017

MOTION: Commissioner Plante made a motion to accept the resignation of Detention Specialist Kim Johnson effective June 3, 2017. The motion was seconded by Commissioner Dahl. All in favor.

AWARDS:

For the Record.

Letter of Recognition: Shots Fired Incident on Blue Hill Avenue.

- Officer Michael Kekejian
- Officer George Jasek
- Officer Jonathan Earnshaw
- Officer Ryan Fitzpatrick
- Officer Matthew Friend
- Officer Jonathan Turcotte

OTHER BUSINESS:

Capital Improvement: The NPD HVAC project (\$600,000) received an A-4 designation and the committee tentatively made a FY2018 recommendation for the project.

PUBLIC COMMENT:

No public comments.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 6:44 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 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 #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 Dahl, 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 Dahl made a motion to end the non-public session and return to public session. Motion seconded by Commissioner Plante.

RETURN TO PUBLIC SESSION: 7:25 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 individually 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 ..."

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

"The dismissal, promotion, or compensations of any public employee ..."

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

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

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, May 15, 2017, at 6:00 p.m.

ADJOURNMENT

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

Time: 7:28 p.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk