

November 17, 2015

The Nashua Police Commission held a meeting on Tuesday, November 17, 2015, at the Nashua Police Department.

Members present:

Commissioner Robert E. Valade, Clerk
Commissioner James R. Tollner
Commissioner Nicholas Dahl
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 Lori Wilshire
Alderman Michael Soucy

PUBLIC SESSION

Commissioner Valade called the meeting to order at 6:01 p.m.

MINUTES:

- October 27, 2015

MOTION: Commissioner Tollner made a motion to approve the minutes of the October 27, 2015, meeting. Motion seconded by Commissioner Dahl.

BUDGET:

Resolution and Grants:

A grant award received from the Bureau of Justice Assistance in the amount of \$12,815 with a 50% recipient match for the purchase of 35 vests expiring in the next two years.

Department Detail Expenditure Report FY2016:

The Commissioners received the Department Detail Expenditure Report as of month end October 31, 2015.

- CFO Griffin notified us that the Retirement Trust Fund balance has been completely used up for FY2016. As of October 31, 2016, the retirement account #51750 is in the red by (\$88,817) for eight retirements since July 1, 2015. When the City ran out of funds in the retirement account on one other occasion in the past, they left the retirement expense to charge against our budget only if we have surplus to absorb the shortage. The negative balance will stay in our account until we see where our funds are by year-end. If it looks like there is going to be a problem absorbing the expense, we will notify CFO Griffin. Karen Smith will monitor the gasoline account as a solution if gasoline prices stay low.
- Gasoline is budgeted at \$25,000 month and the expenses have been averaging \$18,000 per month in the first quarter. If the low rate continues, we could have a surplus in gasoline of approximately \$80,000 to cover the pension shortage. This is after taking into consideration that the FY16 budget was already reduced by \$80,000 from the previous year's budget (FY15).

Account 52300 Benefits include all insurance benefits.

Commissioner Tollner asked about researching if the City can break out the City claims budget by department, and if so, would NPD be able to tap into any unused funds at year end to offset the NPD budget. The Chief responded that once a year, some unspent health care funds are returned to city employees.

FY2016 Revenue Report:

The Commissioners received a copy of the October 31, 2015, Revenue Report.

FY2016 Weekly Payroll Overtime:

The overtime has been averaging \$21,809 weekly during the months of July, August, September, and October which is a little higher than the \$19,377 weekly average appropriation. However, given the number of vacancies at nine, this is expected. The savings from the vacancies will offset the overtime.

FY2016 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 or significant occurrences which included a sudden death case that has incurred approximately \$10,000 in overtime costs.

FY2013 – FY2016 Payroll Graphs:

The Commission received graphs comparing FY2013 through FY2016 overtime expenditures. The graphs show that the first quarter of FY2016 overtime was in-line with the budget. The graphs show that the FY2016 payroll

budget expenditures, thus far, are comparable or better than FY2014, which was a year that we spent \$1.22 million on overtime. In FY2014 the overage in overtime was balanced by the attrition in payroll. The change in FY2016 is due to the number of vacancies and the continued staffing realignments.

Strength Report:

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

October 2015	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	185	178	169	9
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	239	13

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

ACTIVITY REPORT:

Verbal Report by Deputy Chief Denis Linehan:

On September 29, 2015, three officers responded to a residence in which a female reported that a naked male with a knife was in her apartment. The officers were able to negotiate with the subject and take him into custody.

On October 16, 2015, during the late hours, two officers responded to a report of an unconscious male at a location on Chestnut Street. The officer rendered CPR, were able to restore a pulse, and the subject was transported for medical treatment where he later died.

Verbal report by Deputy Chief Michael Carignan:

A Nashua Police Detective assisted U.S. Army officials from California with an extensive investigation into an active duty soldier formerly from Nashua who has been "sextorting" female victims in the Nashua area. An arrest is anticipated in the near future and the U.S. Army will be the prosecuting agent. A press release is forthcoming.

Warrants have been issued regarding recent burglaries in which \$40,000 - \$50,000 in merchandise was pawned in Massachusetts. There was also a recent string of burglaries in Crown Plaza Hotel rooms over a two day period. Both burglaries are connected to each other by suspect connections.

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

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

OTHER BUSINESS:

C.A.L.E.A.

The C.A.L.E.A. Re-Accreditation Public Hearing is scheduled for December 15, 2015, beginning at 6:00 p.m. at the Nashua Police Department. The public is welcome and public comments will be welcomed.

Citizens Academy:

Commissioner Tollner commented on the recent successful Citizens Academy with great feedback from attendees.

Award:

Commissioner Tollner also asked Aldermen Wilshire and Soucy if they could request that the Board of Aldermen formally recognize Lieutenant Carlos Camacho for recently receiving the St. Michael Award from the Catholic Lawyers Guild.

Press Release Notification List:

Chief Lavoie is interested in adding the Board of Aldermen to the felony Press Release notification list. Both Aldermen Wilshire and Soucy were receptive to the idea. Commissioner Valade will send a letter to the Board of Alderman to make arrangements for them to be added to the notification list.

Retirement:

Master Patrolman II James J. Kennedy: Retirement effective November 30, 2015.

MOTION: Commissioner Tollner made a motion to accept the retirement of MPOII James J. Kennedy effective November 30, 2015. The motion was seconded by Commissioner Dahl. All in favor.

PUBLIC COMMENT:

There were no public comments.

NEXT MEETING:

Due to the upcoming C.A.L.E.A. Accreditation Public Hearing on December, 15, 2015, the next Police Commission meeting will be rescheduled to Tuesday, December 8, 2015.

NON-PUBLIC SESSION

MINUTES NOT SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 6:31 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 (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 Dahl.

A roll call vote was taken:

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

Recommendation for Promotion to Sergeant:

- Detective Marc Anderson

Chief Lavoie made a recommendation to the Commissioners that Detective Marc Anderson be promoted to the rank of Sergeant effective December 1, 2015. The Commissioners received a copy of Detective Anderson's personnel history information. Chief Lavoie gave the Commissioners an overview of Detective Anderson's history and the promotional process.

MOTION: Commissioner Tollner made a motion to approve Chief Lavoie's recommendation to promote Detective Marc Anderson to the rank of Sergeant. Motion seconded by Commissioner Dahl. All in favor.

MOTION: Commissioner Tollner made a motion to amend the above motion to add the promotion effective date of December 1, 2015. Motion seconded by Commissioner Dahl. All in favor.

MINUTES NOT SEALED

NON-PUBLIC SESSION

MINUTES SEALED

MOTION: Commissioner Valade asked for a motion by roll call vote to continue non-public session by roll call vote 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: 6:51 p.m.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Tuesday, December 8, 2015

ADJOURNMENT

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

Time: 6:51 p.m.

Respectfully submitted,

Commissioner James Tollner, Clerk