

June 17, 2014

The Nashua Police Commission held a meeting on Tuesday, June 17, 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 Christopher Peach  
Karen Smith, NPD Business Manager  
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)  
Captain James Maloney

**Others Attending the Public Session:**

Alderman Lori Wilshire  
Alderman Michael Soucy  
Citizen Matthew Plant

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**PUBLIC SESSION**

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

**MINUTES:**

- May 28, 2014

**MOTION:** Commissioner Andrade made a motion to accept the minutes of the May 28, 2014, meeting as submitted. Motion seconded by Commissioner Valade. Motion carried.

**PUBLIC COMMENT:**

There were no public comments.

**BUDGET:**

Business Manager Karen Smith provided the following budget report:

**Funding Received:**

Reimbursement in the amount of \$15,004.11 was received from the City of Boston for the overtime attributed to last year's Boston Marathon Bombing incident. The funds have been credited to the general fund as this was a prior year expense.

**Department Detail Expenditure Report FY2014:**

Forty eight (48) of fifty two (52) payroll weeks have been processed or should be at 92.3% of the average appropriation. The current payroll includes Police Supervisors Union, UAW, and Teamsters Union budget adjustments totaling \$111,080 for FY14 increases. It also includes an expense transfer to contingency for prior year expenses for the Supervisors' contract in the amount of \$113,727. Reductions for attrition in the amount of (\$100,000) and retirement pay budget increase in the amount of \$120,672 are also included. With these adjustments, the budget reflects that we are operating at 91% in the full-time payroll. Overtime is expended at 113%. Collectively the bottom line payroll account is at 92.4% as a result of the full-time payroll account offsetting the overtime overage. This percentage will change with the payment of holiday and longevity during the month of June. We had been running just slightly over and this trend has continued with the increase in overtime during the month of May. In addition, we will be absorbing \$57,000 from the Supervisor's contract.

**FY2014 Weekly Payroll Overtime:**

The average weekly overtime for the month of May was \$26,914 which is an increase from the \$20,000 we saw in the Fall and in March and April. The average weekly overtime increased to \$28,937 for the first week paid in May due to SRT Sniper training, vacancies in Communications, and investigative overtime. Additionally, the following week (paid 5/8) increased to \$29,718 due to the Alago-Collazo (Manchester St) shooting that occurred on 5/2 and coverage overtime increased. Overtime paid 5/15 was also increased at \$26,404 due to the balance of the shooting overtime worked on Sunday for a YTD total of \$10,455 coverage and training. The week paid 5/22 included increased coverage and overtime for an SRT call out. The overtime paid on 5/29 included coverage and another SRT call out. We no longer have the surplus in payroll to offset overtime due to the filling of the vacant First Year Officer positions which were filled in early May.

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

The multi-year coverage report shows an increase for the first time this year. May FY14 had the highest overtime of the fiscal year and is high compared to prior years.

**Payroll Costs Analysis:**

The Commission received a copy of the report showing the payroll cost analysis created by John Griffin and updated by Karen Smith. Karen updated the report with a weekly payroll of \$280,000 and the weekly overtime/per-diem of \$26,000 for the remaining four payroll weeks of the fiscal year, which would leave a remaining balance in the range of (\$100,000) by year end in the payroll. The increase is due to investigative and

coverage overtime in addition to funding \$57,000 for the Supervisor’s contract. We should have sufficient funding within the operational budget due to a maintenance and utility surplus which should cover the payroll deficit.

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

The Commission received a copy of the report showing the overtime cost for recent major cases and robberies. Of note, the Manchester Street shooting on 5/2 had \$10,596 in overtime. The SRT callout to Hollis on 5/16 had overtime in the amount of \$6,145. Numerous robberies are listed totaling about \$2,100.

**FY2014 Revenue Report:**

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

**Strength Report**

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

May 2014	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	185	178	178	0
Total Sworn Part-Time		1	1	0
Total Non-Sworn Members	6	6	5	1
Total Part-Time Civilians	9	6	5	1
Total Full-Time Civilian	68	62	59	3
Total Grant Civilian	1	1	1	0
TOTAL:	269	254	249	5

**Vehicle Replacements:**

The Parking Enforcement vehicles and Building Maintenance truck Requests for Finance and CERF committee meeting have been delayed until FY2015. Ms. Smith received notice of this on 6/10/14. We have a commitment to trade in one of the parking enforcement vehicles to MacMulkin Chevrolet based on a purchase order for unmarked vehicles dated 5/12/14. MacMulkin will work with us, but we were anticipating a June purchase date for the parking enforcement vehicle and there will be delay between the two transactions. The parking enforcement initial Request for Finance Agenda in May was submitted on 4/28.

The building maintenance vehicle initial Request for Finance Agenda of 5/7/14 was submitted on 4/23/14. All vehicles need funding approved at the CERF meeting also. The building maintenance vehicle was submitted as soon as we knew that the vehicle had failed inspection.

**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 Christopher Peach:**

In addition to the report, Deputy Peach reported on a rash of BB gun shootings that took place in Nashua and surrounding communities in June. The damage in Nashua alone amounted to \$30,000. The department received multiple tips and other information from various sources. Within a few days of the incidents, suspects were identified; and, within a few hours, one suspect’s vehicle was stopped and two adult subjects were arrested. The collaborative efforts of citizens and the information sharing between detectives and patrol officers were instrumental in solving this case.

An officer made a routine traffic stop for a motor vehicle violation. The vehicle contained three occupants. Based on the conversation between the officer and the occupants, a backup officer was called to the scene. One of the vehicle occupants assaulted the officer in order to cause a diversion so the other occupants could take off from the scene. A loaded gun, ¼ kilo of heroin, and a quantity of cocaine were located in the vehicle. Three people were taken into custody. The subjects were from Vermont and were traveling from Lawrence, Mass.

The Department has implemented the DDACTS Program (Data-Driven Approaches to Crime and Traffic Safety). The program was rolled out in March. Based on available data, a “hot zone” in the city was developed and a plan was formulated on all shifts to put an increased presence in the zone all while not taxing street staffing in other parts of the city. In the two month period since implemented, motor vehicle stops increased by 36% from the average in the DDACTS zone and drug arrests increased 82% from the average in the DDACTS zone. Statistics show that 23% of incidents in the city take place in the hot zone area. Deputy Peach reported that the goal is to rotate patrol officers into the zone while not leaving any one area uncovered for any length of time. Adjoining sector officers provide coverage in the sector while an officer is in the hot zone. Patrol officers have a set schedule throughout the shift to work the hot zone. Chief Seusing reported that statistically, areas outside of the “zone” get fewer calls for service; therefore, officers can be pulled from the slower areas for short periods of time.

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

There were two home invasions on Fletcher Street recently – both appear to be drug related incidents. In one of the incidents, two people entered the residence and caused a minor head injury to the occupant. This is still under investigation. During the other incident, one of the intruders had a gun and one had a hatchet. The occupant was assaulted. A witness called police and the intruders left the scene. Patrol officers located a

vehicle matching the description of the vehicle used in the crime. A BB gun and hatchet were recovered. Two arrests are forthcoming.

On June 14, 2014, at approximately 3:00 p.m., police responded to a report of a person assaulting another person with a rock. The victim suffered a fracture and head injury. The suspect was located and arrested.

Four newly sworn in First Year Special Officers are in week 5 of a 14-week academy. The graduation is scheduled in August.

Building Maintenance personnel are remodeling the Communications & Dispatch areas. CT/Dispatch is temporarily set up in the department classroom until renovations are complete. The majority of work is being done by our maintenance crew.

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

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

The Commissioners received copies of letters of appreciation from citizens and from outside agencies

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

**RESIGNATIONS:**

- Second Year Officer Steven Prymak: Resignation effective June 16, 2014
- Probationary Dispatcher Phillip Walsh: Resignation effective June 17, 2014

**MOTION:** Commissioner Valade made a motion to accept the resignations of Second Year Officer Steven Prymak effective June 16, 2014, and Probationary Dispatcher Phillip Walsh effective June 17, 2014. Motion seconded by Commissioner Andrade. Motion carried.

**UNIFORM FIELD OPERATIONS BUREAU PRESENTATION:**

Captain James Maloney gave a presentation to the Commissioners regarding the Uniform Field Operations Bureau, third shift.

**Personnel Assigned:**

Civilians: 2 Communications Technicians & 2 Dispatchers

Sworn: 1 lieutenant, 5 sergeants, 24 patrol officers

K9: 1 K9 officer on the shift

- Once an officer has finished their first probationary year, they are assigned to the 3<sup>rd</sup> shift as junior officers
- Most stay on the shift for 2 to 3 years until they can bid off to second shift or days.
- Most of the 3<sup>rd</sup> shift officers have less than 3 years on the job
- Most are not on any specialty units or are just getting onto a unit when they rotate off
- There is no civilian Booking Specialist on third shift - officers cover the booking area

Captain Maloney stated that the officers are motivated and enthusiastic about their job and the training, they write excellent reports and make the effort to share develop and share information with other officers. It is the supervisor's role to mentor newer officers regarding various aspects of police work including how to apply the law to each situation and conducting business while following correct procedures.

The majority of the work on third shift is self generated to include vehicle stops, subject stops, checking business security, etc. The supervisors encourage officers to be proactive. They encounter numerous DWIs, suspended licenses, driving offenses, drugs in motor vehicles, and failure to appear in court warrants, etc. They also deal with a lot of intoxication, domestic and disorderly situations.

**Recent activity of note on Third Shift:**

May 16, 2014: Third Shift officers including a Lieutenant with tactical experience responded to Hollis to assist with a barricaded subject. Officers set up and maintained a perimeter around the home in question for several hours until relieved by Nashua SRT.

May 22, 2014: An officer stopped the suspect vehicle following a violent robbery at the Shell Station at 190 Amherst Street. A total of 4 arrests related to the robbery were made within 45 minutes following this incident.

June 10, 2014: An officer conducted a motor vehicle stop of two suspects in a series of BB gun criminal mischief incidents throughout the City. The officer noted potential evidence within the vehicle. The vehicle was secured as evidence and the two suspects were turned over to the Detective Bureau for questioning. They were both arrested later in the day.

**Goals for the officers when they leave the shift:**

- Continue to follow the officer safety tactics they have learned and avoid complacency.
- Ability to initially control a major case scene including evidence and witnesses
- Have a specialty: Photographer, Specialty Weapon, Dispatch trained, trained in Booking
- Be comfortable around people in various settings and be able talk to people and be able to get them to talk to them.

**Conclusion**

New officers on third shift are developing skills that will serve them throughout their careers. The officers on third shift are the future of the department.

**PROMOTIONS TO MASTER PATROLMAN:**

The following Senior Patrolmen have satisfactorily completed all requirements for the rank of Master Patrolman:

- Senior Patrolman Adalberto Garcia: Effective July 20, 2014
- Senior Patrolman Bennett Stusse: Effective July 20, 2014

Commissioner Andrade requested that in the future, all officers who are eligible for MPO certifications come before the Police Commissioners to be officially certified in person.

**MOTION:** Commissioner Valade made a motion to certify Senior Patrolmen Adalberto Garcia and Bennett Stusse to the rank of Master Patrolman effective July 20, 2014. Motion seconded by Commissioner Andrade. All in favor. Motion carried.

**NASHUA POLICE PATROLMAN'S ASSOCIATION COLLECTIVE BARGAINING AGREEMENT:**

The following is a summary of the changes/revisions to the NPD Police Patrolman's Association Collective Bargaining Agreement which is before the Police Commission for their approval. It should be noted that the Patrolman's Association has not yet officially approved the recommendations. The union will meet in the upcoming days to vote on the changes if approved by the Police Commissioners.

**Article 12 – Vacation**

Singular vacation days:

A. Added that a singular vacation day cannot be requested more than fifteen (15) days in advance and deleted a provision allowing singular vacation days to be chosen in advance at any time.

**Article 14 – Holidays**

Changed Washington's Birthday to President's Day

**Article 15 – Uniform Allowance**

Added a provision that any unexpended uniform allowance, up to \$250.00, shall be paid to the employee at the end of the fiscal year.

**Article 16 – Medical/Hospital, Life, & Dental Insurances**

- Changed city contribution for Point-of Service Plan to 70% and 80% for HMO Plan.
- Deleted named carriers.
- Added provisions permitting the city to offer comparable plans and a grievance process should the union believe that the proposed plan is not comparable.
- Effective July, 1, 2014, the patrolman shall be responsible for the increased co-pays and deductibles.
- Employees shall pay to the city all increased premium contributions due since October 1, 2011. Members shall make this payment using retro wages and, if a balance remains, by a reduction in accruals of sick and/or vacation leave during the remaining term of this agreement.

**Article 18 – Bereavement Leave**

In the event of the death of an employee's parent, spouse or child, bereavement leave shall consist of four (4) consecutive days.

**Article 20 – Personal Days**

Allowed two (2) personal days to be taken consecutively

**Article 23 – Wages**

- FY 12 – 1% increase;
  - FY 13 – 1% increase;
  - FY 14 – 2.2% increase;
  - FY 15 – 2.5% increase;
  - FY 16 - July 1, 2015 - 2% increase; January 1, 2016 – 1% increase;
  - FY 17 – July 1, 2016 – 2% increase; January 1, 2017 – 1% increase;
  - FY 18 – July 1, 2017 – 2% increase; January 1, 2018 – 1% increase.
- Created position of Master Patrolman II with a 1.5% wage increase (minimum 12 years on the job and passing sergeant's written exam)
  - An additional .5% differential pay for detectives effective upon signing of the agreement.
  - A 1% differential pay for firearms training unit members effective upon signing of the agreement.

**Article 26 – Court Time**

Changed "Nashua District Court" to "9<sup>th</sup> Circuit Court".

**Article 30 – Educational Benefits & Educational Incentive**

Increased all educational incentives by \$250.00.

**Article 33 – Time Coming**

Permit a maximum of twenty-four (24) hours of compensatory time to be accrued.

**Article 36 – Term of Agreement**

July 1, 2011 through June 30, 2018.

**MOTION:** Commissioner Valade made a motion to approve the changes to the Nashua Police Patrolman's Association Collective Bargaining Agreement as outlined above. Motion seconded by Commissioner Andrade. All three Commissioners were in favor of the changes listed above.

**OTHER BUSINESS:**

A Nashua Police Citizens Academy is scheduled for September 17 – November 5, 2014.

An Open House is tentatively scheduled for September 10, 2014, from 10 a.m. – 5:00 p.m.

A tree-cutting service completed the removal of several trees near the NPD entrance in anticipation of the new sign installation.

**TENTATIVE DATE OF NEXT MEETING:**

The next meeting is tentatively scheduled for Tuesday, July 15, 2014.

**ADJOURNMENT**

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

**Time: 8:03 p.m.**

Respectfully submitted,

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Commissioner Robert Valade, Clerk