

November 23, 2020

The Nashua Police Commission held a public meeting on Monday, November 23, 2020, at the Nashua Police Department.

Members present:

Commissioner James R. Tollner, Chairman
Commissioner Nicholas Dahl, Clerk
Commissioner Matthew Plante
Chief Michael Carignan
Deputy Chief James Testaverde
Deputy Chief Kevin Rourke
Karen Smith, NPD Business Manager
Kathy Breslin, Administrative Project Specialist

Others Attending the Public Session:

Aldermanic Liaison Lori Wilshire (not in attendance)
Aldermanic Liaison Richard Dowd (not in attendance)
Stacey Geesey-Citizen

PUBLIC SESSION

Commissioner Tollner called the meeting to order at 5:30 pm. Roll call taken.

APPROVAL OF MINUTES:

- October 26, 2020

Commissioner Tollner made a motion to approve the minutes of the October 26, 2020 meeting. Motion seconded by Commissioner Plante. All in favor.

BUDGET:

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

BVP Grant 2020:

This is an award from the US Department of Justice in the amount of \$18,000 for the purchase of bulletproof vests for the period of September 1, 2020 through August 31, 2022. The maximum amount is \$800 per vest (50% of the federal funds). The remainder of the cost of the vests has been budgeted in the NPD budget for department issued clothing.

Resolution-Heroes Program:

Resolution 20-086 to accept donated services for free unlimited talk, text and Smartphone data from T-mobile under the Connecting Heroes Program. The purpose of this program is to provide cellular phone services for law enforcement for a period of ten years with no additional fees.

Department Expenditure Report October FY2021:

- We are 18 weeks into the FY2021, which is 34.6% of the budget. We currently have spent 35.7% of the payroll, which is roughly 1% above the budget. This 1% would equate to \$229,734. If the trend of \$50,000 in weekly overtime continued, with the continued plans for hiring, we would be short \$680,000.
- On page 6 of the report there is a General Fund Prior Year Escrow to include the \$24,000 for training and travel, necessary for Accreditation or IT, that officers were unable to attend in FY2020 due to Covid.
- This month we went to Finance for the purchase of ten replacement marked vehicles with CERF funding. Will be going before Finance on December 2, 2020 for the purchase of 4 replacement unmarked vehicles, also with CERF funding.

Department Revenue Report October FY2021:

A copy of the October 31, 2020 Revenue Report was provided.

FY2021 Monthly Overtime Tracking by Specific Case Number or Significant Occurrence:

The overtime for significant occurrences in the month of October was \$40,029.

October Functional Strength:

The Functional Strength at the end of October was 25.

Overtime Analysis October FY2021:

The overtime for the month of October averaged \$48,000 per week. We would like to see that number come down to \$30,000 per week. We are starting to see a trend in the overtime decreasing in November with a high of \$37,000 of overtime per week.

The Chief stated that he has mentioned to the City that our overtime has been increasing due to officers and civilians on quarantine.

ETF Overtime Account Transfers:

The original balance of this account was roughly \$100,000. There was a reduction of \$19,092 to reimburse for the significant occurrence activity for the period of July 1- October 24, 2020. This leaves us with a balance of \$81,252.63. This does not reflect the \$5,332 Mobile Field Force activity from November 1, 2020. This will be in next month's report.

ETF Police General Purpose Overtime Account:

\$48,000 was added to this account for activities that did not occur in the previous fiscal year due to Covid. This would include overtime for court, building maintenance and travel.

October Strength Report:

A copy of the October 31, 2020 Strength Report was provided.

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

ACTIVITY REPORT:

Deputy Chief Kevin Rourke reported the following:

As Karen Smith mentioned earlier we are seeing a downward trend in overtime. The trend is due to the addition of officers to the shifts. We recently had 4 officers come off their FTO period and there will be 7 additional officers by the end of next week. Officer Tien is expected to be finished with his FTO program by December; so by the end of the year we will have added 12 officers.

We will be down two officers for the majority of 2021 due to activations by the National Guard.

We currently have 12 people out due to Covid, 6 officers and 6 civilians.

We were monitoring the Covid 2.0 complaints through the Slack channel, but that was very difficult, especially on the weekends. We have requested for people to call the station directly and Dispatch can send an officer. If we receive a report from the City we are sending Officer Boulay to investigate. Last month we received 22 calls regarding Covid violations and only two business had more than one complaint.

Captain Bolton and Sergeant Ditullio recently met with Heroes a uniform supply company in Lowell, Massachusetts. We have used Ben's for uniform supplies for years, but they are located in Amesbury, Massachusetts and it has become more difficult since they no longer deliver.

We still have two officers out due to concussions. These officers are slowly getting better and have appointments on December 5th to see if they are able to return to duty.

Deputy Chief James Testaverde reported the following:

Detectives:

Everything in the Detective Bureau is status quo.

Professional Standards:

Effective in January Officer Seroll will be cycled out of the Firearms Training Unit and will be replaced by Officer Moriarty.

The training program for a new officer is 12 weeks with a Field Training Officer. We are finding that our new certified officers can complete this training in 8 weeks.

We are currently down 5 officers. We are hoping to swear in two new officers in early December and we have 4 solid candidates from the last recruit test in October.

The Accreditation Manager Bill Pease and the Professional Standards Bureau will start using Power DMS. This is a tool that is used to deliver training and policy changes directly to officers. It is a great tool and good for us in regards to accreditation.

Legal:

The courts may be switching back to virtual, so the Legal Bureau has been working with our IT Division to prepare.

Services:

We are preparing for the upcoming Capital Improvements Meeting. We will be looking to improve the fencing and security around the police department.

Next month we will provide you with the building expansion plans that we will need to present to the City for a 10-15 year plan.

Captain Mederos and Lieutenant Camacho will be starting the interviews for the Community Policing position.

MOTION: Commissioner Plante made a motion to accept the activity report. Motion seconded by Commissioner Tollner. All in favor.

CORRESPONDENCE FROM THE PUBLIC & OTHER AGENCIES:

Chief Carignan gave the Commissioners an overview of letters of appreciation received from the public and outside agencies including the following:

- Citizen-Thank you
- City of Dover- Lieutenant Welch
- Norman Bouthilete, Boys & Girls Club- Notice of Retirement

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

CIVILIAN CHANGE OF POSITION:

For the record:

Communications Technician I Michael Richardson to the new position of Probationary Dispatcher effective November 17, 2020.

OTHER BUSINESS:

Chief Michael Carignan reported the following:

In the next month a survey will be posted on our website, which is part of our accreditation requirements. We will push this out on social media and we are asking you to encourage people to complete a survey.

The non-profit Nashua PAL project, "Building on Hope" is almost completed. There will be an Open House that will be spread out over a few days due to Covid. We will provide you with the dates and I urge you to attend to see the unbelievable changes. The project cost approximately \$200,000, but they received almost \$1.2 million in free labor and supplies.

Recently Captain Brian Kenney of the Legal Bureau provided a memo addressing workload issues. Due to Covid the courts have made major changes in the way of doing business. In the past the courts made many allowances

for the Nashua Police Department which allowed us to do things quicker and utilize our officers in lieu of an attorney. The court changes have made the cases more complex and time consuming. It was Captain Kenney's recommendation to hire an additional attorney to help assist in the additional workload. Manchester Police Department has a caseload equivalent to ours and they have 9 attorneys and 4 DV advocates.

Chief Joseph Hoebeke of the Hollis Police Department notified us that they had lost their part-time attorney and would have a difficult time hiring a new part-time attorney with limited pay and no benefits. Captain Kenney and Chief Hoebeke worked out a way to solve both of their problems. Hollis Police Department would give the Nashua Police Department \$63,000 towards the salary of a new police attorney as long as they could cover the Hollis caseloads part-time. In order to hire an experienced attorney that would require the Nashua Police Department to come up with \$30-35,000 to cover the rest of the cost for a new attorney. The Hollis Police Department's current budget ends December 31, 2020, while the Nashua Police Department current budget ends June 30, 2021. This meant that we needed to fund the position for 6 months on our current budget.

Last week the Deputies and I met with the Mayor to discuss the importance of hiring another attorney and the assurances of an additional \$36,000 in next year's budget. The Mayor agreed with the value of an additional attorney, but was worried about next year's budget due to Fire and School Departments. We offered a compromise by postponing filling the part-time Senior Relations position for a year and a half. If we held off on filling that position for a year and a half, then we would expect the \$36,000 to be added to the budget the following year. The Mayor agreed to this proposal and this is being mentioned in the public session so the Alderman know the following year, July 1, 2022 (FY2023 budget) we would have \$36,000 added to our budget. The Chief stated he sent an email to the Mayor to confirm the commitment of this money.

Pending the approval of the Commissioners we would like to have the Hollis Police Department and the Mayor sign off on the contract between the two agencies for a police attorney.

Commissioner Tollner asked Chief Carignan if the contract has been reviewed by corporate counsel. The Chief confirmed that corporate counsel had reviewed the contract.

If the position is approved this evening we hope to have the position posted by tomorrow and hopefully have the position filled by January. The Professional Standards Bureau is committed to making this a priority. Our plan is to have our current attorney Kathleen Brown be the employee that works for us and the Hollis Police Department since she resides in Hollis. We will be getting $\frac{3}{4}$ of an attorney for $\frac{1}{3}$ of the cost.

Commissioner Dahl asked about who will be covering the responsibilities of the Senior Relations Specialist. The Chief replied that since Covid many of the meetings have been cancelled, but the new Community Policing will have a strong role in senior relations. The Chief reassured the Commissioners that we were not getting rid of the position, we would just be covering the responsibilities until we fill the position.

Commissioner Tollner stated that he thought this was a great idea.

MOTION: Commissioner Plante made a motion to add the position of a Police Attorney. The motion was seconded by Commissioner Dahl. All in favor

Commissioner Tollner stated that he thought Captain Kenney did a great job with the video for drug court. The Chief stated that it is just a testament to how much our officers buy into the program.

PUBLIC COMMENT:

No public comment.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, December 21, 2020, at 8:00 am.
- Meeting schedule for 2021

END OF PUBLIC SESSION:

MOTION: Commissioner Dahl made a motion to end the public session and enter the non-public session. Motion seconded by Commissioner Plante. All in Favor

Time: 6:29 pm

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 6:35 pm

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:

A. RSA 91-A:3, II (b): “The hiring of any person as a public employee”.

Motion by Commissioner Plante, seconded by Commissioner Dahl.

A roll call vote was taken:

- Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes
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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: 6:42 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 seal the following minutes of the Non-Public session (**Item #1**).

Item #1: RSA 91-A:3, II (b): “The hiring of any person as a public employee”.

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

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

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, December 21, 2020 at 8:00 am

ADJOURNMENT

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

Time: 6:43 p.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk