

July 21, 2015

The Nashua Police Commission held a meeting on Tuesday, July 21, 2015, at the Nashua Police Department.

**Members present:**

Commissioner Thomas A. Maffee, Chairman  
Commissioner Robert E. Valade, Clerk  
Commissioner James R. Tollner  
Chief Andrew Lavoie  
Deputy Chief Michael Carignan  
Deputy Chief Denis Linehan (not in attendance)  
Karen Smith, NPD Business Manager (not in attendance)  
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

**Others Attending the Public Session:**

Alderman Lori Wilshire  
Alderman Michael Soucy (not in attendance)  
Members of the Public

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**PUBLIC SESSION**

Commissioner Maffee called the meeting to order at 5:56 p.m.

**APPOINTMENT OF POLICE COMMISSIONER:**

On June 24, 2015, Governor Maggie Hassan and the Executive Council confirmed James R. Tollner as a Nashua Police Commissioner. His term will be from June 24, 2015, through September 1, 2016. He will serve the remainder of the term vacated by Commissioner Carl Andrade.

**MINUTES:**

- June 16, 2015

**MOTION:** Commissioner Valade made a motion to approve the minutes of the June 16, 2015, meeting. Motion seconded by Commissioner Maffee.

**PUBLIC COMMENT:**

Alderman Wilshire received a letter from Jeff Kleiner of 32 Courtland Street in Nashua. Mr. Kleiner requested that Alderman Wilshire read the following letter into the public record at this meeting. Alderman Wilshire read the following:

Jeff Kleiner  
32 Courtland St Nashua, NH

"I apologize for not being able to make the meeting in person as I have coverage issues at my office and won't be back in town till later this evening. I have asked Alderman Wilshire to share what I wanted to speak about this evening."

"I want to thank and tip my hat to Commissioner Maffee and Commissioner Valade. Over the past 10 months or so, you have had to make a decisions and confirmations on personnel at the top of our department. The budget prevented replacing a retired Deputy Chief which certainly increased the workload. I commend you for the decisions that have brought the 3 gentlemen sitting here tonight (Chief Lavoie, Deputy Chief Carignan and Deputy Chief Linehan.)

"You should be commended for confirming all 3 and I also thank Chief Lavoie for his decisions in bringing forward Deputy Chiefs Carignan and Linehan. I firmly believe, we now have, for the first time in a long time, a complete team with stability at the top. These 3 gentlemen have dedicated years of service to our city and this department. By selecting all of these gentlemen to rise to the ranks they now hold, it shows our officers and other members of the command staff that the belief is to train, recognize and promote from within. It is with great pride that we have these men here and that we did not find the need to look outside this building." "I see the department in very good hands for years to come"

"As you know, I have a relationship with a great many of the men and women in this building that I am proud of, and I can tell you, that each of them is very pleased with our leadership team. I see it when I am here, I see it on the streets when I talk with them and I hear it on the radio. We have officers on the street that routinely will jump in on a call because they are "closer" to the scene, even though it was not dispatched to them. That may sound minor, but it is a sign that these officers have great respect for our leadership and want to do the right thing for this agency and city." "I hear nothing but positive words about our Chief and Deputies"

"I close with offering my sincere appreciation to the Commission for the decisions made, WELL DONE" "I also would like to welcome our newest Commissioner. Commissioner Tollner to the family and I offer my sincerest congratulations on your nomination" "As always, I will continue to

work, help and support the commission, command staff and officers in this building."

Respectfully,  
Jeff Kleiner

**MOTION:** Commissioner Valade made a motion to accept the letter from Mr. Kleiner. Motion seconded by Commissioner Maffee.

**BUDGET:**

Business Manager Karen Smith provided the Commissioners with the following monthly budget reports. She was not present for tonight's meeting.

**FY2015 Expenditures; FY2016 Budget; Escrow Report; SRF Quarterly Reports/Grants:**

The Commissioners received a copy of the above reports.

Deputy Carignan reported that in January 2015, it was estimated that our FY2015 budget would have an approximate deficit of \$500,000. Significant changes were made to our staffing assignments to compensate for that expected deficit. The fiscal year has just ended and we are waiting for a few last minute expenditures to be processed. However, we anticipate approximately \$10,000 - \$30,000 in unused funds at FY2015 year end. Reaching this goal can be attributed to the hard work and commitment from everyone at the Nashua Police Department. Commissioners Maffee and Valade commended Chief Lavoie and Deputy Carignan for all their hard work working with the budget. For FY2016, the budgeted weekly overtime target cost is \$19,000.

At the end of June 2015, there are four vacant sworn police positions. By mid September, due to four confirmed upcoming retirements and two unofficial retirements as of this meeting, the sworn vacancies will increase to ten positions. Our Professional Standards Bureau is backgrounding three police recruit candidates who would be enrolled in the August Police Academy. We currently have one First Year Officer attending the academy now. Although the hiring of these officers will increase our actual strength, our "functional strength" will remain down until all the candidates are hired and have completed the academy, Field Training, and are assigned out onto the street which would be sometime in July 2016. The next police exam is scheduled for August. Recent testing turnout has been lower than anticipated possibly attributed to possible upcoming changes to the retirement system and other police related national events. The Nashua Police Department will continue to require a very high hiring standard. Chief Lavoie commented that the cost saving measures we took to get deficit under control in January will have to continue in the future. He understands that we have a long road ahead of us regarding budgets and understands that is how we have to do business in the future.

The newest eight officers recently completed Field Training and some have been assigned to downtown walking patrols. Chief Lavoie is hoping they can continue these patrols through the summer months.

Paula Langlais was promoted to fill the position of Business Coordinator. She will be a strong partner for Karen and Karen will be working on getting her up to speed in the Financial Services Division. Commissioner Tollner commented that Karen has been a valuable employee regarding working with the Board of Aldermen and Mayor.

The Commissioners received a copy of the FY2016 Escrow report listing the "generator project". This is not a budgeted item.

Commissioner Tollner asked Chief Lavoie if there is a person responsible for taking care of grants and if we are receiving more grants than in past years. Chief Lavoie answered that Officer William Adamson in our Services Bureau is our grant person and he has been teaming with Nashua's Emergency Management Director Justin Kates, who works with Homeland Security, regarding the possibility of finding additional grants in the future.

**Strength Report:**

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

June 2015	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	185	178	174	4
Total Sworn Part-Time		1	1	0
Total Non-Sworn Members	6	6	4	2
Total Part-Time Civilians	8	6	6	0
Total Full-Time Civilian	69	62	59	3
Total Grant Civilian	1	1	1	0
TOTAL:	269	254	245	9

**MOTION:** Commissioner Valade made a motion to accept the budget reports. Motion seconded by Commissioner Tollner.

**ACTIVITY REPORT:**

***Verbal report by Deputy Chief Michael Carignan:***

The Special Investigation Division has seen a large increase in case referrals from DCYF due to a change in their reporting system. Consideration will be given to shifting some manpower to cover the increase in the caseload and time sensitive issues.

On July 15, police responded to a shots fired call at 26 Damon Ave in Nashua. A sheriff was serving an eviction notice when a gunshot was heard and it was unclear if the shot was fired at the Sheriff. Due to the circumstances, Nashua officers responded, set up a perimeter and called in a negotiator. There was no response from the resident so police were able to gain entry into the home. The resident was located with a fatal self-inflicted gunshot wound.

We received a report of an attempted kidnapping. The investigation found that an attempted kidnapping did not take place. A car stopped, asked the female if she wanted a ride, she said no, and the vehicle left.

A Nashua Police Officer attempted to stop a motor vehicle on Kinsley Street when a brief vehicle pursuit took place. The vehicle was stopped, the subject refused to obey the officer and step out of the car. The officer ultimately used a Taser on the individual which caused a flash from a cigarette lighter that was in the subject's pocket. The victim received medical treatment and was released.

In the month of June, the POP Unit made 51 arrests; 23 were felony arrests and 17 were misdemeanor arrests and drug related.

The Nashua Police Department is scheduled for a CALEA Accreditation assessment in December of this year. A "mock assessment" is planned for September.

***Verbal Report by Chief Lavoie:***

Heroin overdoses:

So far this year we have seen 109 heroin overdoses; 13 overdoses resulted in death. At this same time in 2014, we saw 65 heroin overdoses. From 2011 to 2014, it has increased 263%. In June, Chief Lavoie participated in a round table discussion regarding heroin with Senator Kelley Ayotte at Southern NH Medical Center.

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

**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 Tollner made a motion to accept the correspondence and place on file. The motion was seconded by Commissioner Valade.

**RETIREMENTS:**

- Captain James Lima: Retirement effective August 1, 2015
- Lieutenant Bryan Marshall: Retirement effective August 1, 2015
- Sergeant Randy Dumais: Retirement effective August 1, 2015
- Master Patrolman Peter Forgiione: Retirement effective August 3, 2015

**MOTION:** Commissioner Valade made a motion to accept the retirements of the above listed Nashua Police officers on the listed dates. The motion was seconded by Commissioner Tollner.

**CIVILIAN CHANGE IN POSITION/PROMOTION:**

For the Record: Account Clerk (Payroll) Paula Langlais was promoted to the position of Business Coordinator effective June 22, 2015.

**OTHER BUSINESS:**

Commissioner Tollner asked Chief Lavoie about Commissioner attendance at Neighborhood Watch Meetings. A neighborhood Watch Schedule will be provided to Commissioner Tollner. He is welcome to attend any of the meetings.

Commissioner Tollner asked Chairman Maffee and Commissioner Valade to consider moving the Public Comment section of the Commission meeting to the end of the agenda to give citizens the opportunity to comment on any of the agenda items.

**PUBLIC COMMENT:**

***Citizen Matthew Plante*** asked Chief Lavoie how often in the past years has the staffing been down by ten officers. Chief Lavoie responded that being down in staffing is common since many times officers retire in groups and we often hire in groups. There are times, due to financial constraints, that we need to manage our attrition by postponing the hiring of officers for money saving reasons. We put a lot of effort into hiring the best qualified candidates available and many times during the hiring process, candidates drop out of the hiring pool due to opportunities at other agencies.

***Alderman Lori Wilshire*** congratulated Commissioner Tollner on his confirmation as Police Commissioner and she is very pleased with his recent appointment as it is her opinion that he will serve the department well.

**NEXT MEETING:**

The next Police Commission meeting is tentatively scheduled for Tuesday, August 18, 2015.

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**NON-PUBLIC SESSION**

**MINUTES SEALED**

**PUBLIC SESSION INTO NONPUBLIC SESSION: 6:46 p.m.**

**MOTION:** Commissioner Maffee 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 (b):** "The hiring of any person as a public employee"

Motion by Commissioner Valade, seconded by Commissioner Tollner.

*A roll call vote was taken:*

- Commissioner Maffee – yes; Commissioner Valade – yes; Commissioner Tollner - yes.

**MOTION TO SEAL RSA 91-A:3 III:** "Divulgence of the information likely would affect adversely the reputation of any person other than a member of the body or agency itself"

Commissioner Tollner made a motion to seal the minutes of the non-public session. The motion was seconded by Commissioner Valade.

*A roll call vote was taken:*

- Commissioner Maffee – yes; Commissioner Valade – yes; Commissioner Tollner - yes.

Minutes Sealed.

**NON-PUBLIC SESSION**

**MINUTES SEALED**

**MOTION:** Commissioner Maffee asked for a motion by roll call vote to continue non-public session as authorized by:

**RSA 91-A:3, II (a)** **DISMISSAL, PROMOTION, COMPENSATION, DISCIPLINE, INVESTIGATION OF ANY PUBLIC EMPLOYEE**

Motion by Commissioner Valade, seconded by Commissioner Tollner.

*A roll call vote was taken:*

- Commissioner Maffee – yes; Commissioner Valade – yes; Commissioner Tollner - yes.

**MOTION TO SEAL RSA 91-A:3 III:** "divulgence of the information likely would ..... render the proposed action ineffective"

Commissioner Valade made a motion to seal the minutes of the non-public session. The motion was seconded by Commissioner Tollner.

*A roll call vote was taken:*

- Commissioner Maffee – yes; Commissioner Valade – yes; Commissioner Tollner - yes.

Minutes Sealed.

**END OF NON-PUBLIC SESSION:**

**MOTION:** Commissioner Valade made a motion to end the non-public session and return to public session. Motion seconded by Commissioner Tollner.

**RETURN TO PUBLIC SESSION: 7:19 p.m.**

**TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:**

- Tuesday, August 18, 2015

**ADJOURNMENT**

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

**Time: 7:19 p.m.**

Respectfully submitted,

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Commissioner Robert Valade, Clerk