

January 21, 2014

The Nashua Police Commission held a meeting on Tuesday, January 21, 2014, in the Nashua Police Department classroom.

Members present:

Commissioner Thomas J. Pappas, Chairman
Commissioner Thomas A. Maffee
Commissioner Robert E. Valade
Chief John Seusing
Deputy Chief Andrew Lavoie
Deputy Chief Christopher Peach (not in attendance)
Karen Smith, NPD Business Manager
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)
Captain James Lima
Lieutenant EZ Paulson
Accreditation Manager William Pease

Others Attending the Public Session:

Alderman Lori Wilshire
Alderman Michael Soucy
Public Citizens
Members of the Press

Others Attending Non-Public Session:

Corporation Counsel Attorney Stephen Bennett

PUBLIC SESSION

Chairman Pappas called the meeting to order at 6:00 p.m.

MINUTES:

- December 17, 2013

MOTION: Chairman Pappas asked for a motion to approve the minutes from the December 17, 2013, meeting as submitted. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

MOTION: Due to snowy weather conditions, Chairman Pappas asked for a motion to go out of the agenda order and take Public Comments at this time. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

PUBLIC COMMENT:

Chairman Pappas asked the public attendees if they had any comments.

Mr. Anthony Pivero asked Chairman Pappas if he was related in any way to NH Executive Councilor Christopher Pappas. Chairman Pappas responded no and went on to say that the public comment period is for members of the public to make comments to the commissioners; however, he would not engage in a question/answer period. Mr. Pivero commented that a no question and answer period doesn't make sense since the meeting is a public meeting. Chairman Pappas expressed that Mr. Pivero would be welcome to submit any questions he may have to him or the chief in writing, as he has in the past.

Mr. Pivero went on to comment that Chairman Pappas has been a commissioner since 2009 and asked if he had ever been cited by the city for any violations. Chairman Pappas had no comment. Mr. Pivero went on to comment that Commissioner Maffee has been a Commissioner since 1985 and asked if he had ever used his influence as a commissioner to influence any cases. Mr. Pivero stated that he sent a letter to Governor Hassan (the letter was read publically) requesting that Commissioner Maffee be investigated for allegedly using his influence to intervene on behalf of an individual known to him in a case during the 1980s or 1990s involving a prostitution sting. Commissioner Maffee did not respond to Mr. Pivero's statements. Mr. Pivero gave Chairman Pappas a written request for the minutes of tonight's meeting. Chairman Pappas accepted the request letter.

There were no other comments from the members of the public.

BUDGET:

Business Manager Karen Smith provided the following written report:

Grants:

Accepting of the 2014 Violence Against Women Federal Grant Program in the amount of \$63,125. The resolution will be scheduled for the Human Affairs Committee meeting.

To answer a previous question the Commissioners had regarding the formula for the JAG Grant, the criteria used is the UCR (Uniform Crime Reports) on violent crime and population, and the jurisdiction applying must have reported their UCRs in three out of the last ten years. It does not matter if it is Milford, Manchester, or Nashua.

Department Detail Expenditure Report FY2014:

Twenty six of the fifty two payroll weeks have been processed and should be at 50% of the average appropriation. The current payroll reflects that we are operating at 48% in the full-time payroll. Overtime is expended at 59%. Collectively at the close of the month, payroll is at 50%. IT Manager Peter Cinfo is working on much needed IT purchasing projects. Operational accounts are in good standing at this time.

Chairman Pappas commented that the overtime is starting to come down and settle into an anticipated amount.

Police Department Payroll Cost Analysis FY2014:

December continued to prove to have the lowest overtime for the second consecutive month at \$85,000. Of note, the overtime coverage worked for the last week of December was not paid until the month of January. Using the \$21,000 for overtime and per diem as a weekly payroll variable and with the recent officer coming off of field training, it has helped the numbers during December and the early weeks of January. It is still too early to give a forecast for year-end.

FY2014 Weekly Payroll Overtime:

The overtime for the weeks in December shows the overtime trend continues to be averaging in the \$20,000 weekly range.

FY2014 Overtime/Coverage Analysis:

FY2014 coverage for excused absences in 8-hour segments/shifts totals 640 hours for November. The total overtime coverage in one-hour segments was 70 hours. This represents 11% of overtime coverage to total absences. In contrast, last November showed 26% coverage to absences.

Overtime Coverage Multi-Year Comparison Report:

The multi-year coverage report continues to show a decrease in overtime in FY2014 compared to prior years. The additional number of "Total Officers Down" is a number provided by the Professional Standards Bureau and includes a calculation of vacancies plus officers unavailable due to training.

FY2012 to FY2013 December YTD Overtime Comparison:

The overtime budget remaining as of December 2013 was \$405,000 compared to FY2012 at \$250,086. The coverage balance is \$12,300 in FY2013 compared to (\$90,000) in FY2012. The full and part-time payroll was running about the same both years. The difference will be what we see in the coming months.

FY2014 Overtime by Specific Case/Incident Report:

The Commissioners received a copy of the report showing the overtime costs for recent major cases. The overtime for a January shooting case is at \$18,814 for the payroll week of 1/9 – 1/11. Additional overtime will be incurred for the week of 1/12 – 1/18.

Department Revenue Report FY2014:

The Commissioners received a copy of the Department Revenue Report for FY2014.

Strength Report

The Commissioners received a copy of the December 2013 Strength Report.

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	179	178	178	0
Total Sworn Part-Time		1	1	0
Total Non-Sworn Members	6	6	5	1
Total Part-Time Civilians	7	6	5	1
Total Full-Time Civilian	68	62	60	2
Total Grant Civilian	1	1	1	0
TOTAL:	261	254	250	4

Special Revenue Funds and Grant Reports:

The Commissioners received copies of the Special Revenue Funds and Grant Reports.

MOTION: Chairman Pappas asked for a motion to accept the budget reports and place on file. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

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

On January 9, 2014, there was an incident at 6 Rochette Avenue in which a 22-year-old male was shot in the head. The investigation revealed that this was a drug deal related incident. Police & detectives were able to identify and locate two individuals involved in the case. Two arrests were made. Police also recovered marijuana, cash, and handguns.

Two officers responded to an alarm call at Simonize Car Wash on the D.W. Highway. The officers spotted the suspect, engaged in a short foot pursuit, and caught David Voight who was arrested. Officer responded very quickly to this incident.

The Professional Bureau has scheduled the next police recruit exam for May 10, 2014.

Chairman Pappas commented on recent arrests regarding burglaries. Deputy Lavoie stated that the Burglary Unit is working hard and discovering that many of the burglaries are connected to each other.

Chairman Pappas commented on the Police Athletic League (PAL) Officer who has been evaluating its responsibilities in the community. Deputy Lavoie stated that our PAL Officer Belmont has taken an active role in establishing a partnership with a neighborhood church and encouraged further dialog and attendance at PAL meetings. Officer Belmont and PAL also partnered with the Manchester Monarchs. A recent PAL fundraising event included a policeman/fireman hockey game and the displaying of the Boston Red Sox World Series trophies and was very successful.

MOTION: Chairman Pappas asked for a motion to accept the activity report. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

CORRESPONDENCE FROM THE PUBLIC AND OTHER AGENCIES:

The Commissioners received copies of letters of appreciation from citizens and outside agencies. The letters included one from the Chief from the Town of Dunstable for our assistance in the apprehension of a person wanted in Massachusetts, a letter thanking the department for assistance with the annual Holiday Stroll, and a few thank you letters from various citizens.

MOTION: Chairman Pappas asked for a motion to place the letters on file. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

At this time Mr. Pivero interrupted the meeting commenting on recent negative publicity in the press. Chairman Pappas asked Mr. Pivero to refrain from interrupting.

WORKLOAD ASSESSMENT:

Chief Seusing had requested that members of the Professional Standards Bureau prepare an updated Workload Assessment report for the Nashua Police Department. The Board of Alderman also requested that an updated assessment be completed. Once the report is finalized, it will be provided to the Board of Aldermen for their review.

Accreditation Manager William Pease gave an overview of the draft report which was prepared as a tool to determine the number of police officers needed to perform the duties required based on the number of calls for service. The number of calls for service in 2012 was 106,647, which included 34,145 motor vehicle stops. Based on a formula used by the IACP (International Association of Chiefs of Police) he was then able to determine the average time logged from the point of dispatch to the time the call was completed which is a 39 minutes 32 seconds average. This report is a customized report and is statistically driven. It was determined that NPD had 77 functional officers available on the street as of December 31, 2012. However, based on the formula used in the report, NPD should have 87.5 officers available on the street. The assessment report was completed for each bureau at the department.

Captain James Lima added that the report is currently a draft report and will need to be continuously reviewed and updated. He stated that the calls for service in 2013 are relatively the same as in 2012 and he is comfortable using the 2012 assessment figures. The draft report findings show that 87.5 officers are recommended in patrol and at the time of the report there were 77 officers assigned to patrol. At the current time, there are 83 officers assigned with one attending the academy and one in field training. We are also seeing the benefits of being at full strength as it relates to overtime and proactive policing. However, taking into consideration attrition and other factors, we can lose police officers at any time. The department is looking at options to get us to the recommended staff of 87.5 officers on patrol.

Chief Seusing stated that based on the report findings, we are looking at adding 4.5 patrol officers. He is also looking at the possibility of adding additional civilian positions in the Legal and Services Bureaus, and three additional detectives. A recent organizational change was made regarding the Legal and Detective Bureau and he will be paying attention to how that change works in the coming months. He will also review civilian positions that are currently filled by sworn officers to determine if it would be best served by hiring additional civilians. An example is at the present time, we don't have a third shift civilian Detention Specialist so that position is backfilled by sworn officers. Prior to finalizing the manpower report and making any recommendations to the Board of Alderman, a thorough review will be completed to include assignment recommendations such as permanently assigning an officer to a Main Street route. At this time, officers are assigned to Main Street when manpower is available. Chief Seusing wants to build visibility downtown and other areas and create permanent walking or bike routes. No additional cars would be needed. A review of Sector 16 will also be conducted. Chairman Pappas requested that data from 2013 be checked to verify if the 39 minute call time for 2012 is consistent with the data from 2013. Mr. Pease will work with IT to do a representative sampling of the data for verification purposes. Chairman Pappas requested that the final report include additional exhibits such as an organizational chart to assist the Board of Alderman during their review.

Chairman Pappas thanked Captain Lima and Accreditation Manager William Pease for their presentation. He appreciated that the report was based on actual NPD data vs. generic national data. He agrees that filling civilian positions such as Communications/Dispatch personnel with civilians can allow for more officers on the streets. The Workload Assessment will be included on the February agenda. The report will be forwarded to the Board of Aldermen for their review once it is completed and finalized.

OTHER BUSINESS:

- Teamsters Union Local 633 of NH notification letter of intent to negotiate a new collective bargaining agreement. A copy of the letter has been forwarded to Corporation Counsel.
 - Chief Seusing informed the commissioners that approximately 13-14 NPD officers have volunteered to participate in the annual Special Olympics Winni Dip fundraising event which is scheduled to take place in the coming month.
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NON-PUBLIC SESSION

MINUTES SEALED

TIME: 6:56 p.m.

PUBLIC SESSION INTO NONPUBLIC SESSION:

MOTION: Chairman Pappas 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) DISMISSAL, PROMOTION, COMPENSATION, DISCIPLINE, INVESTIGATION OF ANY PUBLIC EMPLOYEE

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 Maffee, seconded by Commissioner Valade. Motion carried.

A roll call vote was taken:

- Chairman Pappas – yes
- Commissioner Maffee – yes
- Commissioner Valade - yes

MOTION TO SEAL RSA 91-A:3 III Chairman Pappas asked for a motion to seal the minutes of this portion of the non-public session. Upon motion by Commissioner Maffee, seconded by Commissioner Valade, motion carried. Chairman Pappas – yes; Commissioner Maffee – yes; Commissioner Valade – yes. Minutes sealed.

NON-PUBLIC SESSION

MINUTES SEALED

CONTINUATION OF NON-PUBLIC SESSION:

MOTION: Chairman Pappas asked for a motion by roll call vote to continue non-public session as authorized by:

RSA 91-A:3, II (c) REPUTATION

"Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting."

Motion by Commissioner Maffee, seconded by Commissioner Valade. Motion carried.

A roll call vote was taken:

- Chairman Pappas – yes
- Commissioner Maffee – yes
- Commissioner Valade - yes

MOTION TO SEAL RSA 91-A:3 III Chairman Pappas asked for a motion to seal the minutes of this portion of the non-public session. Upon motion by Commissioner Maffee, seconded by Commissioner Valade, motion carried. Chairman Pappas – yes; Commissioner Maffee – yes; Commissioner Valade – yes. Minutes sealed.

NON-PUBLIC SESSION

MINUTES SEALED

CONTINUATION OF NON-PUBLIC SESSION:

MOTION: Chairman Pappas asked for a motion by roll call vote to continue non-public session as authorized by:

RSA 91-A:3, II (c) REPUTATION

“Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting.”

Motion by Commissioner Maffee, seconded by Commissioner Valade. Motion carried.

A roll call vote was taken:

- Chairman Pappas – yes
- Commissioner Maffee – yes
- Commissioner Valade - yes

MOTION TO SEAL RSA 91-A:3 III Chairman Pappas asked for a motion to seal the minutes of this portion of the non-public session. Upon motion by Commissioner Maffee, seconded by Commissioner Valade, motion carried. Chairman Pappas – yes; Commissioner Maffee – yes; Commissioner Valade – yes. Minutes sealed.

END OF NON-PUBLIC SESSION: Chairman Pappas asked for a motion to end the non-public session and return to public session. Upon motion of Commissioner Valade, seconded by Commissioner Maffee, motion carried.

RETURNED TO PUBLIC SESSION: 8:41 p.m.

TENTATIVE DATE OF NEXT MEETING:

The next meeting is tentatively scheduled for Tuesday, February 18, 2014.

ADJOURNMENT

MOTION: Chairman Pappas asked for a motion to end the public session and adjourn the meeting. Upon motion of Commissioner Valade, seconded by Commissioner Maffee, motion carried.

Time: 8:41 p.m.

Respectfully submitted,

Commissioner Thomas A. Maffee, Clerk