

December 16, 2019

The Nashua Police Commission held a public meeting on Monday, December 16, 2019, 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 (not in attendance)
Kathy Breslin, Administrative Project Specialist (acting as recording secretary)

Others Attending the Public Session:

Aldermanic Liaison Lori Wilshire-not in attendance
Aldermanic Liaison Ernest Jette
Mayor Jim Donchess, City of Nashua
Chief of Staff Cheryl Lindner, City of Nashua
Administrative Services Director Kim Kleiner, City of Nashua
Bill Mansfield-President UFPO Union
Michele Guilbeault-President Teamsters Union
Daniele Levesque- President Communications Union
Sam Sawlan -Vice President Communications Union
Karen Goulding-Secretary Communications Union
Lieutenant Keith Dillon, President Supervisors Union
One citizen

PUBLIC SESSION

Commissioner Tollner called the meeting to order at 5:02 pm.
Roll call for members present.

Commissioner Tollner made a motion to allow the Mayor to make a public comment at the beginning of the meeting. Commissioner Dahl seconded the motion. All in favor.

Mayor Donchess stated that he had spoken to Commissioner Tollner earlier, but wanted the opportunity to speak to the entire Commission in regards to the current contracts.

He stated that in regards to City budgets the ultimate goal is to retain the quality of service to the citizens of Nashua, while keeping the taxes low.

Circumstances have come forward making it difficult to achieve that goal.

In the current fiscal year we dealing with a budget increase related to the cost of health care for City employees. The cost of healthcare for City employees has increased 11% for a 3 million dollar plus expense. It puts a lot of pressure on budgets across the board. We were able through keeping tight with expenditures and otherwise keep the tax rate increase under 3%, but we were able to achieve that to some extent by the one time, over two years, additional municipal aid. As we look to next year's budget, Ms. Kleiner is here to discuss this issue if you wish, we continue to see health care rising in high single digit rates 8-9-maybe 10% we expect to see for the next fiscal year. So again, we may see a 3% increase on a single line item. Roughly the City budget is \$260 million budget, so a 3% increase would be about 7 million dollars.

He stated they were currently working on a multi-year model for the budget and tax rates and are currently working on the fiscal year 2021 budget.

In addition to health care increases, House Bill 700, reduces year by year for a period of 5 years, the assessments on utility properties, effectively reducing the City's tax base for each of those 5 years. We may be able to offset that with growth and building in non-utility areas of the City.

We are dealing with rapidly increasing costs, especially in one area, and restriction in amount of revenue. If our goal is to keep our taxes under 3% or at 3%, we cannot budget our major departments. Our police department provides a great service, but in order to keep tax increases under 3%, and a 2% cost of living, we can only increase department budgets by 2-2.5%.

If wages increase over the rate of inflation or the cost of living, you will see that the increase in the budget will not meet the costs. The current budget is working because we are down officers.

If the expenses increase 3% and the budget increase is only 2.5% then the number of officers and the level of service will decline. The Board of Alderman will not pass a budget more than \$60,000-\$80,000 over the Mayor's budget. It is not realistic. If they do taxes will increase and it will not be 2%, but more like 4%. The Board of Alderman will not pass tax increases of 3% year after year.

We need to talk about healthcare and work on it together as a community. I know this is something employees do not see in their check, but if healthcare goes up this could be an additional \$6,000 the City pays per employee before even getting to wages.

The Mayor stated that he was concerned about contracts that grant wage increases above the cost of living year after year.

NH already has a high property tax. If we are trying to maintain the quality of service, while maintaining the tax increases, the numbers don't work. Until the healthcare issues correct themselves, then wage increases above the rate of inflation are not sustainable. The Mayor asked that the Board of Commissioners take this into

consideration. The Mayor stated he has already told the president and vice-president of the Board of Alderman that it is not realistic if the budget is for a 2.5 % wage increase to make it 3.5%. Everyone needs more money; the fire department, police department and the schools.
The Mayor said he would be happy to discuss this matter.

Commissioner Tollner did agree that they did have a conversation last week similar to tonight's discussion.

Chief Carignan stated that two contracts in question are being presented to the Budget Review committee tonight. He stated that he has worked very hard to get the UFPO contract negotiated based on the Mayor's terms and what he wanted. When the Mayor stated he would not give sick time payouts he removed them and gave the union more in wages. The Chief stated he is very supportive of the Mayor and the City, but this is difficult.

The Mayor stated that he did not agree. He stated that the last time they agreed to an expansion in the sick leave payout, but increasing the sick leave payouts would cost the City 60 million dollars. The Mayor stated that the Chief stated that he had a lawyer that was underpaid and he agreed to pay that lawyer more, but not everyone within the union. The new agreement is far more than we agreed upon. The Mayor stated that even during these discussions with the Chief the full impact of the healthcare issue was not known. The Mayor stated that if he implied to the Chief that the way to deal with not expanding sick leave payout was to pay more wages then that was a misinterpretation. If you have one employee underpaid then address that one employee. All the City employees are valued and many are underpaid. It is hard to correct all at once. We have offered to be very involved in the negotiations so we do not have these problems. If you want us to be actively involved in the negotiations we will be, but you have declined.

Chief Carignan stated that the police department has just recently started attending the meetings at City Hall regarding negotiations. The lawyer for the City of Nashua has always been in attendance at our negotiations. Now that we know what you are looking for from the meetings, we know what we need to negotiate.

Commissioner Tollner stated that everything he spoke about earlier with the Mayor was the same as stated tonight, but the communication a few months ago was if we could address the sick time payout then it was better with a wage increase. We have to work together. The UFPO contract was approved 4-6 weeks ago and has been on the shelf for months. This is a contract that expired in July of 2018 and there is another contract right behind it.

The Mayor stated that there were contracts that have been expired longer. He stated what the Commissioners should think, because if you budget over 2.5% for wage increases in contracts, and if you go before the Board of Alderman with more than 2.5%, they will say you will have to cut services and I will say I told you so. Therefore we have to think about if we want service reductions.

Commissioner Tollner stated that his comments were in regard to these particular contracts being overdue. As we have conversations going forward we can address these issues now that we are aware.

The Mayor stated he appreciated the Board of Commissioners giving him time and stated if they had any detailed questions they could ask Ms. Kleiner.

Ms. Kleiner stated that the City would be holding a meeting on January 15, 2020 where they would specially be talking about healthcare and would like the Chief and the Commissioners to attend.

Commissioner Tollner stated that one of the Commissioners would be present.

APPROVAL OF MINUTES:

- November 18, 2019

MOTION: Commissioner Plante made a motion to approve the minutes of the November 18, 2019 meeting. Motion seconded by Commissioner Tollner. All in favor.

BUDGET:

Business Manager Karen Smith was not in attendance but provided the Commissioners with an overview and the following reports:

- Grants
- FY2020 Expenditure Report
- FY2020 Revenue Report
- FY2020 Monthly Overtime Tracking by Specific Case of Significant Occurrence
- Sworn Functioning Strength Analysis
- Overtime Analysis
- Strength Report November 30, 2019

MOTION: Commissioner Tollner 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:

Last month a SWAT test was held, which consisted of a physical test and an oral board. Three new officers were assigned to the SWAT Unit: Officer Jeffrey Page, Officer Daniel Kinnon and Officer Cameron Douglas

Last month it was mentioned that Officer Walker's K9 is coming to the end of time. We are currently holding oral boards to pick a new K9 officer.

Our Dive Team was activated last week on December 10th. They assisted NH State Police with recovering a sunken boat in Lake Winnepesaukee. The boat was involved in a fatal accident. The team was able to recover the boat.

Deputy Chief James Testaverde reported the following:

Professional Standards:

CALEA assessors were very complimentary about our Computer Forensics Unit. The Deputy Chief said he had never seen such an extensive Computer Forensics Unit in a department of our size.

Officer Laroche is currently in Alabama taking a Cyber Crimes course. They were so impressed with him that they asked if he could come back next year to instruct.

Currently we are down 17 officers, soon to be 18 officers. We will be swearing in 3 officers tomorrow. Captain Fay has reported that by mid-January he could be presenting 9 candidates for conditional offers.

Services:

Currently we are down 4 Dispatchers and 3 Communications Technicians. Full staff is 9 Dispatchers and 12 Communications Technicians. We had a new Communications Technician start today and we have one employee transferring back to Communications in January.

Legal:

Legal is about to go through some changes with Officer Inzenga and Officer Duncan transferring out of the bureau. Officer Lombardi will be replacing Officer Duncan in the courthouse and Officer Fleming will be replacing Officer Inzenga. Legal is also down an attorney who is on maternity leave and will be out until February.

Commissioner Tollner stated that he attended the closing remarks from the CALEA assessors and said they had nothing but positive things to say. He also stated that he has had discussions with the Mayor regarding our problems hiring dispatchers when the Fire Department is able to hire dispatchers for more money and it has less activity.

Chief Carignan wanted to comment on the Computer Forensic classes that our officers attend. They attend free of charge, they receive free software, free membership licenses and help build relationships for multi-agency investigations. This is a great benefit to the City with zero cost.

Commissioner Dahl mentioned that the Manchester Police Department was very appreciative of the assistance that our SWAT Unit provided, with the NPD Bearcat, to assist with three high-risk search warrants on November 25th. He also stated that K9 Vorik was very beneficial with assisting the Hollis Police Department with locating a hit-and-run/driving while intoxicated suspect.

Commissioner Plante praised Officer Brown for terminating a pursuit on November 5th, when the vehicle continued to proceed at a high rate of speed.

Alderman Jette commented on the excellent interrogation skills of our officers. Deputy Carignan commented that there was a doctor who spoke at the public session for CALEA and she referenced a time that our officers were able to help determine that a child had a rare genetic disorder and was not a victim of child abuse.

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

CIVILIAN HIRE:

For the record

- The following civilian has been hired to fill the position of Probationary Communication Technician:

Jonathan Amaral: Effective December 16, 2019

RESIGNATIONS:

- Patrolman Andrew Kibarian: Resignation effective December 21, 2019

MOTION: Commissioner Dahl made a motion to accept the resignation of Patrolman Andrew Kibarian effective December 21, 2019. The motion was seconded by Commissioner Tollner. All in favor.

Chief Carignan stated that both officers leaving are going to Mass State Police where they will be making more money.

- Senior Patrolman Matthew Cote: Resignation effective January 5, 2020

Commissioner Dahl asked how many years Officer Cote has been on the job and the Deputies replied 5 years. Commissioner Plante asked how many years the other officer has been working and the Deputies replied two years.

MOTION: Commissioner Tollner made a motion to accept the resignation of Senior Patrolman Matthew Cote effective January 5, 2020. The motion was seconded by Commissioner Plante. All in favor.

CERTIFICATIONS: MASTER PATROLMAN

- Effective December 20, 2019: Senior Patrolman Hannah Merullo will be certified as a Master Patrolman
- Effective March 29, 2020: Senior Patrolman Nicholas Jowders will be certified as a Master Patrolman
- Effective April 1, 2020: Senior Patrolmen Julia Banks and Jeffrey Dillon will be certified as Master Patrolmen.

MOTION: Commissioner Tollner made a motion to accept the Master Patrolman certifications. The motion was seconded by Commissioner Dahl. All in favor.

CITYWIDE COMMUNICATIONS CAPITAL IMPROVEMENTS

For the record:

Bill Mansfield provided copies of the two proposals that Citywide Communications has submitted to the Capital Improvements Committee.

OTHER BUSINESS:

Chief Michael Carignan reported the following:

Tomorrow is the swearing in at 1:00 pm. The candidate Madison Medina has to be formally approved by the Academy tomorrow morning.

Regarding Capital Improvements, the HVAC improvements have been approved. During the CALEA assessment it became apparent that we need improvements in the following areas:

1. Detention area
2. Crime lab
3. Space within the building.

The building was originally designed to add 2 more floors. We would like an architect to come in to look at the designs and see what we need. If we are going to spend 2.5 million on a HVAC system then we need to make sure any changes we make can work within that system. Wednesday the Chief is going before the Board of Alderman to discuss spending \$51, 000 from the bond to pay for an architect to map out the proposed changes.

Chief Carignan wanted to thank the Commissioners for their help and assistance during the CALEA assessment. Chief Carignan went to all the rolls calls, and met with officers and civilians within the building, to inform them of all the positive feedback he heard during the public sessions. The comments were very complimentary and what was most important was the Nashua Police Department's community involvement. It came across strongly to the assessors and they commented that was a big part of our success.

The public comment night was two hours long and was taped. Chief Carignan stated it should be watched to see the Nashua Police Department's involvement in the community and how we operate on a daily basis. Chief Carignan stated the Alderman should also view the tape to see our effect within the community.

Chief Carignan believes the CALEA report will be great and that the assessors thought the Nashua Police Department was one of the best in the country.

Commissioner Dahl stated that the public session was truly impressive. He attended four years ago and 12 people spoke. This year 19 people spoke and the stories and the breadth of what they had to say was overwhelmingly positive. Commissioner Dahl stated the public statements made were very complimentary, and very impressive regarding what the Chief and his officers do every day. Judge Leary was extremely positive regarding the officers.

Commissioner Plante commented that he was not aware how much members of the Nashua Police Department were doing on their own time.

Commissioner Dahl stated it was great to hear from departments from the surrounding communities, like Pelham and Hollis, saying they could not do as well as a job without our assistance. We know we have a great department, but it was great to hear that from other people.

Commissioner Plante wanted to take a moment of silence for the Nashua resident, a combat veteran with PTSD, who took his life over the weekend.

PUBLIC COMMENT:

Mr. George Denault, Nashua citizen, stated he thought the Nashua Police Department was one of the best in the country and anything he or his family could do to support them they would. He asked a question regarding

the Mayor's earlier public comment. The Mayor had stated that the cost of healthcare is consistently going up each year. Is there any way that can be negotiated each year to keep the costs down?

Commissioner Tollner replied that the City decided to go to a self-funding system years ago, where the City pays the claims directly and they pay an insurance company like Anthem to administer the benefits. The City is going to sit down and try to manage those claims. There are ideas to educate the employees on how to keep the cost of claims down by using their insurance effectively, by choosing locations for tests where the costs are lower. Ideas to offer incentives to employees for healthy lifestyles. Commissioner Tollner stated that if increases are going to increase to that extent it needs to be addressed. We are going to have to collectively work together since the money comes out of the same pot and it is going to affect salaries.

Chief Carignan stated one of the benefits at the police department is we have 5 unions. We work very well them and they work with us and the City. This is the first time we are starting to hear from the City.

Alderman Jette stated that at a recent Budget Review the committee heard from Kim Kleiner and a consultant who were there to discuss this very issue. He said the City was going to start a new program where if an employee needs an MRI and he chooses to go to a cheaper provider he can earn an incentive.

Chief Carignan stated that we are just hearing about the healthcare issue and the City discussing more high deductible plans.

Alderman Jette inquired if all the unions were part of the same plan.

Chief Carignan said all unions were part of the City's healthcare plan except Teamsters.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

Tuesday, January 21, at 6:00 pm

The Commissioners stated they would like to move the monthly Commissioner's meeting to the fourth Monday of the month. We will try this for the first two months of the year before making a permanent change. The next Commissioner's meeting will be Monday, January 27, 2020.

ADJOURNMENT

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

Time: 6:05 p.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk