

March 24, 2015

The Nashua Police Commission held a meeting on Tuesday, March 24, 2015, at the Nashua Police Department.

Members present:

Commissioner Thomas A. Maffee, Chairman
Commissioner Robert E. Valade, Clerk
Commissioner Carl Andrade
Chief Andrew Lavoie
Deputy Chief Michael Carignan
Lieutenant Denis Linehan
Karen Smith, NPD Business Manager
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

PUBLIC SESSION

Commissioner Maffee called the meeting to order at 6:03 p.m.

MINUTES:

- February 19, 2015

MOTION: Commissioner Andrade made a motion to approve the minutes of the February 19, 2015, meeting. Motion seconded by Commissioner Valade.

PUBLIC COMMENT:

There were no comments from the public.

BUDGET:

Business Manager Karen Smith provided the Commissioners the following monthly budget reports.

Department Detail Expenditure Report FY2015:

Karen Smith stated that 34 of 52 payroll weeks have been processed or should be at 65% of the average appropriation. The February year-to-date overtime expenses equal 97% used. The department is implementing the planned changes to rectify the overtime shortage.

The operational accounts are in good shape at this time and the gasoline account will provide surplus to help offset some of the potential payroll overage by year-end.

Payroll Costs Analysis:

John Griffin's Payroll Costs form was used to prepare hypothetical year-end scenarios for use in our overtime analysis.

"Scenario Four" includes the overtime expenditures hypothetically reducing to \$15,000 weekly (line 15) (down from \$29,000 average weekly July - November). The report shows a potential deficit of (\$149,163).

Adjustments were accounted for in the hypothetical future payroll weeks based on in-grade promotions, new hires, and retirements which averaged \$295,000 for the next 18 weeks which now includes not filling the vacant Deputy position until July 1 (line 33).

FY2015 Weekly Payroll Overtime:

Karen Smith gave a quick summary that the overtime has been averaging \$12,500 weekly since the inception of the recent organizational changes.

Payroll and Overtime Graphs included the following reports:

- NPD Monthly Overtime (all types) FY2013, FY2014, and FY2015 Comparison
- NPD Coverage Overtime Fiscal Years 2013 to 2015 Comparison
- NPD Monthly Investigative Overtime FY2013 to FY2015 Comparison
- Overtime Analysis: January 1, 2015 to February 7, 2015
- NPD Budgeted Payroll FY2013 to 2015 Comparison

Karen Smith provided a brief summary pointing out the spike in overtime in October when rates increased due to settled contracts. It then spiked even higher in December due to the increase in overtime related to the multiple homicides in December and subsequently came down drastically in January and February as a result of the start of the organizational changes implemented to reduce overtime in order to rectify a potential budget overage by year-end.

Overtime tracking by Specific Case or Significant Occurrence:

The Commission received a copy of the report showing the overtime cost for recent major cases and/or significant occurrences.

FY15 Revenue Report:

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

Strength Report:

The Commission received a copy of the February Strength Report.

February 2015	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	185	178	177	1
Total Sworn Part-Time		1	1	0
Total Non-Sworn Members	6	6	5	1
Total Part-Time Civilians	8	6	6	0
Total Full-Time Civilian	69	62	60	2
Total Grant Civilian	1	1	1	0
TOTAL:	269	254	250	4

CERF and Finance Committee Agenda Items:

- Prisoner Van – waiting for pricing.
- ACO Van was approved at Finance on March 4
- Detectives Interview Room Systems (server, software, and cameras) was approved at Finance on March 4.

Proposed FY2016 Budget:

The Nashua Police Department proposed FY2016 budget was submitted to the city on March 6. Chief Lavoie met with Mayor Lozeau and CFO Griffin to discuss the proposed budget in more detail. The 1.6% proposed budget reflects approximately \$25,000 above the Mayor’s guideline of a 1.5% increase. At this time, she will allow the Chief to make a determination of where the cut will come from. She also requested that we submit a proposed budget showing a 1.0% increase over last year. A 1.0% proposed budget would mean cutting an additional \$125,000, which Chief Lavoie feels he cannot do in good conscience. He will be attending a cabinet meeting with the Mayor tomorrow.

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 Michael Carignan:

Patrol officers arrested three individuals for stealing items from a large number of vehicles throughout the City. Officers began taking multiple reports linked to these arrests. As a part of this investigation officers responded to Allds Street for the report of a theft of a firearm from an unlocked vehicle. The firearm was later recovered.

As a follow up of the discussion last month regarding the use of NARCAN in a drug overdose situation, questions still remain regarding the securing of the drug, training costs, and liability issues. Deputy Carignan had a conversation with Dr. Leahy from SNHRMC who is also a liaison for the NPD Special Reaction Team. One point that was brought up is the situation in which a subject overdosing on heroin and administered NARCAN by a police officer. Once that subject “wakes up”, the subject can refuse transport to a medical facility. If the subject had been initially been exposed to a high dose of heroin, he/she could subsequently overdose for a second time. In the same situation if the NARCAN is initially administered by ambulance/EMT members, they can force the transport to a medical facility. In most cases in Nashua, ambulance personnel are the first at the scene. The administration of NARCAN by a police officer can also come with great liability. Chief Lavoie reported that although there has been an increase in public support for the use of the NARCAN, we need to work out any details prior to making any policy decision.

On March 9, 2015, Officer Julia Banks responded to the Pheasant Lane Mall for a report of a shoplifting in progress. After a short foot pursuit, the suspect attempted to flee along the edge of the river onto a thin layer of ice, where he subsequently fell through the ice into the fast-moving current. Officer Banks took action and jumped into the river in full uniform. Officer Banks was able to pull the suspect to shore where he was later taken into custody. As a result of her actions, Officer Banks will be awarded a Medal of Valor for Lifesaving in the near future.

Deputy Carignan reported on a motor vehicle accident at the intersection of Amherst Street and the Henri Burque Highway. The victim suffered critical injuries; however, a full recovery is expected. The driver was cooperative with the investigation. The accident appears to be accidental.

Police responded to a report of a death of a 3-month-old incident. Based on the investigation, the death was not suspicious.

Ashley Smith was charged with First Degree Assault following injuries to a 7-week-old infant.

Deputy Carignan reported that the investigation into the homicide/stabbing death of a 49-year-old male on the bike path is ongoing. Patrol and Detectives did a great job is making an arrest very quickly.

Deputy Carignan gave the commissioners an overview of the numerous community/social causes in which Nashua Police officers participate. Seventeen officers recently participated in the annual Winni-Dip fundraiser for Special Olympics in which they raised approximately \$11,000 for the cause. They also participated in the Special Olympic Winter games. Twenty officers took part in a fundraising event in Dover for a fallen DEA officer who was killed in Afghanistan, and a bowling fundraiser for the Nashua Police Athletic League. The Commissioners extended their appreciation for the officers' participation in the community events. .

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

CORRESPONDENCE FROM THE PUBLIC & OTHER AGENCIES:

The Chief gave the Commissioners an overview of the positive letters of appreciation received from the public and other outside agencies.

MOTION: Commissioner Andrade made a motion to accept the correspondence and place on file. The motion was seconded by Commissioner Valade.

RETIREMENT:

- **Captain Bruce Hansen:** Retirement effective April 1, 2015.

MOTION: Commissioner Valade made a motion to accept the retirement of Captain Bruce Hansen, with regret and also appreciation for his 30 years of service, effective April 1, 2015. The motion was seconded by Commissioner Andrade.

OTHER BUSINESS:

Letter of Recognition:

- *Officer Steven Berry*
 - *February 7, 2015, incident for a suicidal subject incident on Harbor Avenue.*

Department K9:

- *K9 Tango is no longer a Department K9 effective February 28, 2015.*

Reclassification of Position:

- The Secretary V UFOB position has been reclassified to the position of Secretary VI UFOB effective February 12, 2015.

Boston Marathon Bombing Pin:

The Watertown, MA, Police Department presented Boston Marathon commendation bars to member of the Nashua Police Department's SRT and Hazardous Device Unit who assisted them during the search for the Boston Marathon bomber suspect. Nashua PD members assisted with house to house searches in Watertown following the bombing. Chief Lavoie authorized the wearing of the pin for those officers to recognize their efforts during that nationally historic event.

Chief Lavoie has a scheduled meeting with School Superintendent Mark Conrad to discuss the School Resource Officer status.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION:

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 (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 Valade, seconded by Commissioner Andrade.

A roll call vote was taken:

- Commissioner Maffee – yes; Commissioner Valade – yes; Commissioner Andrade – 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"

MOTION: Commissioner Valade made a motion to seal the minutes of the non-public session. The motion was seconded by Commissioner Andrade. All in favor. Minutes sealed.

NON-PUBLIC SESSION

MINUTES NOT 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), “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 Valade, seconded by Commissioner Andrade.

A roll call vote was taken:

- Commissioner Maffee – yes; Commissioner Valade – yes; Commissioner Andrade – yes

UAW Collective Bargaining Agreement: Expiration 6/30/15

NPD Supervisors Collective Bargaining Agreement: Expiration 6/30/15

NPD will be contacting the city regarding preparing to begin negotiations for the above collective bargaining unit agreements which expire on June 30, 2015.

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 Andrade. Motion carried.

PUBLIC SESSION

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Tuesday, April 21, 2015

ADJOURNMENT

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

Time: 7:38 p.m.

Respectfully submitted,

Commissioner Robert Valade, Clerk