

April 28, 2015

The Nashua Police Commission held a meeting on Tuesday, April 28, 2015, at the Nashua Police Department.

Members present:

Commissioner Thomas A. Maffee, Chairman
Commissioner Robert E. Valade, Clerk
Chief Andrew Lavoie
Deputy Chief Michael Carignan
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)
Member of the Public

PUBLIC SESSION

Commissioner Maffee called the meeting to order at 6:00 p.m.

RESIGNATION OF COMMISSIONER CARL ANDRADE:

For the record, Commissioner Carl Andrade submitted his resignation to Governor Maggie Hassan effective April 8, 2015. His resignation was formally accepted at the Executive Council meeting on April 22, 2015.

MINUTES:

- March 24, 2015

MOTION: Commissioner Valade made a motion to approve the minutes of the March 24, 2015, meeting. Motion seconded by Commissioner Maffee.

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 38 of 52 payroll weeks have been processed or should be at 73% of the average appropriation. The March year-to-date overtime expenses equal 107% 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 two 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 year-end deficit of (\$151,476).

Adjustments were accounted for in the hypothetical future payroll weeks based on in-grade promotions, new hires, and retirements which averaged \$293,000 for the next 14 weeks which now includes not filling the vacant Deputy Chief position until July 1 (line 33).

FY2015 Weekly Payroll Overtime:

Karen Smith gave a quick summary of the overtime which has been averaging \$12,500 per week 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 – FY2015 comparison
- Overtime Analysis: January 1, 2015 – February 7, 2015
- NPD Budgeted Payroll FY2013 – 2015 Comparison

Karen Smith provided a brief summary of the above reports 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. It dropped significantly 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. However, with the homicide investigation in March, the investigative overtime increased.

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 March 2015 Revenue Report.

Strength Report:

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

March 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

Quarterly Special Revenue Reports and Grant Reports:

The Commission received a copy of the Special Revenue Reports and Grant Reports as of March 30, 2015.

Payroll Adjustments:

Payroll calculations affecting three Communications Division probationary employees were placed one step higher on the Communications contract wage grid and carried forward to FY2014 and FY2015 in error. The employees' weekly wages will be corrected going forward.

SRT Bullet proof vest:

We are looking to replace 22 SRT vests at a cost of \$50,002. This is not a budget item and will be funded through the forfeiture account. There is a five year warranty on the vests.

FY2016 BUDGET:

Mayor Lozeau has asked us to reduce our FY2016 proposed budget by the \$25,000 that put us over her requested 1.5% increase. The Mayor recommended moving \$25,000 from the gasoline account to offset the increase. Karen Smith reviewed the gasoline account budget for next year and is comfortable reducing the account by the \$25,000. In the past budget, the cost of gasoline has come down from \$30,000 per month to \$17,000 per month. Karen Smith is comfortable with the FY2016 unleaded gasoline budget average of \$25,000 per month.

MOTION: Commissioner Valade made a motion to accept the budget reports and place on file. Motion seconded by Commissioner Maffee. Motion carried.

OUTSIDE DETAIL RATES:

Sidebar Agreement changing the outside detail rates as follows:

Police Supervisors collective bargaining agreement;
 Police Patrolmen collective bargaining agreement;
 First Year Special Officers benefit package.

- Change the current rate from \$38.75/hour to \$43.75/hour.
- Added a cancellation clause.
- Added a pension differential clause (for members whose date of hire recognized by the NH Retirement System is on or after 7/1/11).
- Effective 30 days after approval/signing of the sidebars by the Police Commissioners

Deputy Carignan stated that the change in the outside detail rate is comparable to other nearby communities. The hiring contractor pays for all rate costs and there is no financial impact on the Department or the City.

MOTION: Commissioner Valade made a motion to approve the Sidebar Agreements as listed above. Motion seconded by Commissioner Maffee.

SUPPLEMENTAL DENTAL INSURANCE:

Sidebar Agreement allowing the "High Option" dental plan to be offered under the:

Police Supervisors collective bargaining agreement,
 Patrolman's Collective bargaining agreement,
 First Year Special Officer benefit package.

The employee shall be responsible for paying the full additional premium cost for the High Option dental plan if they choose to sign up for the supplemental plan. There will be no cost to the City. The plan will be effective on September 1, 2015.

MOTION: Commissioner Valade made a motion to approve the sidebar agreement as listed above. Motion seconded by Commissioner Maffee.

ACTIVITY REPORT:

Verbal report by Deputy Chief Michael Carignan:

Deputy Carignan highlighted two shooting incidents that took place in Nashua during the past two weeks. On April 13th, a group of individuals with gang ties responded to SNH Medical Center reporting a gunshot wound. The subjects were occupants inside of a motor vehicle. The shooting took place in the area of Pine Street and several shell casings were located in the area. Following an investigation, two arrests were made. The firearm was located. The investigation is ongoing.

On April 26th, a large group of individuals with gang ties were walking down Lemoine Street carrying baseball bats, rocks, and other weapons. The group was walking towards another large group with gang ties. It was learned in the investigation that it was "turf related" & "Facebook taunts". As the groups of individuals approached each other, rocks were thrown and one member pulled out a firearm and fired two shots at the other group. One individual was shot in the leg. The investigation is ongoing.

On March 20th, Ashley Smith was arrested for one count of First Degree Assault – Domestic Violence. It was learned that Smith had caused serious injuries to her seven week old son. The injuries to the child are not considered life threatening. The investigation is ongoing.

Heroin Overdoses:

April 2015: 12 overdoses; April 2014: 17 overdoses

Heroin Deaths:

April 2015: 5 deaths; April 2014: 1 death.

Accreditation: The NPD mock assessment is scheduled for September; the NPD actual assessment is scheduled for December.

The IT Division installed a trial system for computer digital monitoring for the interview rooms. This trial system did not function properly and will be returned to the vendor. IT is researching other systems.

Chief Lavoie reported on the recent police recruit test that was conducted on April 18. In all, 203 candidates signed up; 132 showed up; 60 candidates passed the exam. Oral Board interviews will be conducted with all 60 passing candidates. The lower than average turnout may be related to recent and possible future changes to the NH Retirement System and to recent national events regarding police officers.

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

HIRING:

For the record, Matthew R. Friend was sworn in as a First Year Special Officer on April 23, 2015. His Conditional Offer of Employment was previously approved by the Police Commissioners.

RETIREMENT / RESIGNATION:

- Master Patrolman II Aaron E. Belanger: Resignation effective May 11, 2015
- First Year Special Officer Christopher Guy: Resignation effective May 1, 2015
- Business Coordinator Linda Chartrand: Retirement effective May 1, 2015
- Dispatcher Jane Leger: Retirement effective May 1, 2015
- Parking Enforcement Specialist Aline Kenney: Retirement effective May 1, 2015

MOTION: Commissioner Valade made a motion to accept the resignations and retirements as listed above. The motion was seconded by Commissioner Maffee.

AWARDS:

Medal for Lifesaving with Valor: Officer Julia Banks

- March 9, 2015, incident in which, for total disregard for her own personal safety, pulled a suspect out of the Merrimack River and brought him to safety.

NH Police Standards and Training Council Academy Awards:

- First Year Special Officer Lauren Collins: Arthur D. Kehas Award
- First Year Special Officer Jonathan Turcotte: Officer Jeremy Charron Award
- First Year Special Officer Andrew Fleming: Physical Fitness Award

OTHER BUSINESS:

There was no other business.

NEXT MEETING:

The next Police Commission meeting is tentatively scheduled for Tuesday, May 19, 2015.

NON-PUBLIC SESSION

MINUTES NOT 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 (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 Maffee.

A roll call vote was taken:

- Commissioner Maffee – yes; Commissioner Valade – yes.

Recommendations for Promotions effective May 14, 2015:

(Promotions as a result of the retirement of Captain Bruce Hansen)

- Lieutenant David Bailey: Recommendation to promote to Captain
- Sergeant Todd Martyny: Recommendation to promote to Lieutenant
- Master Patrolman II Robert Powers: Recommendation to promote to Sergeant

Chief Lavoie gave the Commissioners an overview of each of his recommendations for promotion. Personnel information for each candidate was provided for the Commissioners review.

MOTION: Commissioner Valade made a motion to approve Chief Lavoie’s recommendations and promote:

- Lieutenant David Bailey to the rank of Captain
- Sergeant Todd Martyny to the rank of Lieutenant
- Master Patrolman II Robert Powers to the rank of Sergeant

The effective date of the promotion will be May 14, 2015. The motion was seconded by Commissioner Maffee.

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 Maffee. Motion carried.

PUBLIC SESSION

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Tuesday, May 19, 2015

ADJOURNMENT

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

Time: 7:16 p.m.

Respectfully submitted,

Commissioner Robert Valade, Clerk