

January 22, 2019

The Nashua Police Commission held a meeting on Tuesday, January 22, 2019, at the Nashua Police Department.

**Members present:**

Commissioner James R. Tollner, Chairman  
Commissioner Nicholas Dahl, Clerk  
Commissioner Matthew Plante  
Chief Andrew J. Lavoie  
Deputy Chief Michael Carignan  
Deputy Chief James Testaverde  
Karen Smith, NPD Business Manager  
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

**Others Attending the Public Session:**

Aldermanic Liaison Ernest Jette  
Aldermanic Liaison Lori Wilshire (not in attendance)  
Members of the Public

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**PUBLIC SESSION**

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

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**NON-PUBLIC SESSION**

**MINUTES SEALED**

**PUBLIC SESSION INTO NON-PUBLIC SESSION: 6:00 p.m.**

**MOTION:** Commissioner Tollner asked for a motion by roll call vote to *suspend* the public session and enter non-public session as authorized by:

**Item #1:**

**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 Tollner, seconded by Commissioner Dahl.

*A roll call vote was taken:*

- Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes
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**PUBLIC SESSION**

**END OF NON-PUBLIC SESSION:**

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

**RETURN TO PUBLIC SESSION: 6:17 p.m.**

**MOTION TO SEAL RSA 91-A:3 III:**

Minutes of proceedings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. ...”

- “divulgence of the information likely would affect adversely the reputation of any person other than a member of the body or agency itself,
- or render the proposed action ineffective,
- or pertain to terrorism...”

Commissioner Tollner asked for a motion to seal the following minutes of the Non-Public session.

**Item #1: RSA 91-A:3, II (a),**

“The dismissal, promotion, or compensations of any public employee or the disciplining of such employee.....”

**MOTION:** Motion by Commissioner Tollner, seconded by Commissioner Plante, to seal the minutes of the Non-Public Session (**Item #1**) as authorized above.

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Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes. Minutes sealed.

**APPROVAL OF MINUTES:**

- December 17, 2018

**MOTION:** Commissioner Tollner made a motion to approve the minutes of the December 17, 2018, meeting. Motion seconded by Commissioner Plante. All in favor.

**BUDGET:**

Business Manager Karen Smith provided the Commissioners with the following reports.

**FY2019 Expenditure Report:**

The Commission received a copy of the December 31, 2018, Expenditure Report. The Expenditure Report includes 26 of 52 weeks of payroll which is 50% of the annual budget. Anticipate a surplus in the gasoline account.

Included is a bottom line reduction in account 90120 Mayoral Budget Adjustments in the amount of \$94,935. A determination will be made at a later date regarding what accounts will be used to cover the reduction.

**FY2019 Revenue Report:**

The Commission received a copy of the December 31, 2018, Revenue Report. Of note, when budgeting, an adjustment will be made to a few accounts for FY2020.

**FY2019 Weekly Payroll Overtime:**

The overtime averaged approximately \$34,950 per week during the month of December.

**FY2019 Overtime Tracking by Specific Case or Significant Occurrence:**

Overtime during the month of December included identity fraud, accident, reckless operation/accident, AFSA, burglary, training for diving, K9, use of force, and SWAT.

**Sworn Functioning Strength Analysis:**

The functioning strength includes five vacant sworn positions, two officers attending the academy, three officers in field training, and six positions that have required overtime backfill due to extended leave. Sixteen positions are unavailable and not part of the functioning strength.

**Strength Report:**

The Commission received a copy of the December 31, 2018, Strength Report.

|                           | Commission Authorized | Budgeted   | Positions Filled | Vacant Budgeted Positions |
|---------------------------|-----------------------|------------|------------------|---------------------------|
| Total Sworn Full-Time     | 186                   | 179        | 174              | 5                         |
| Total Non-Sworn Members   | 1                     | 1          | 1                | 0                         |
| Total Part-Time Civilians | 3                     | 4          | 3                | 1                         |
| Total Full-Time Civilians | 71                    | 62         | 61               | 1                         |
| Total Grant Civilians     | 1                     | 1          | 1                | 0                         |
| <b>TOTAL:</b>             | <b>262</b>            | <b>247</b> | <b>240</b>       | <b>7</b>                  |

**ETF, SRF, and Grant Reports:**

**Expendable Trust Funds:**

- 7080 Police Overtime ETF
- 7081 Police General Fund Purposes ETF (New Pistol Money)
- 7507 Police Bomb Spec Unit ETF
- 7508 Police K9 Unit ETF
- 7509 Police School Programs ETF
- 7510 Police-Rad System Program ETF
- 7511 Police-Law Enforcement Programs ETF (General)

**Special Revenue Revolving Funds:**

- 4020 Police Drug Enforcement Fund
- 4022 US Treasury Forfeiture Fund
- 4025 DOJ Drug Forfeiture Fund
- 4030 Police Special Detail Funds

**Grants:**

- 50.1001.16.01 JAG16 Justice Assistance Grant
- 50.1001.17.01 JAG17 Justice Assistance Grant
- 50.1003.18.01 VAWA FY19 Domestic Violence Grant
- 50.1003.18.02 2018 Crime Victim Assistance/ Disc. Grant

- 50.1005.16.01 Bulletproof Vest Partnership Grant
- 50.1005.17.01 Bulletproof Vest Partnership Grant
- 50.1005.18.01 Bulletproof Vest Partnership Grant
- 50.1006.19.01 NH Hwy Safety – Nashua Step Grant
- 50.1006.19.02 NH Hwy Safety – Clique 19 Grant
- 50.1006.19.03 NH Hwy Safety – Distracted Driver Grant
- 50.1006.19.07 NH Hwy Safety – Nashua Safe Commute Patrols
- 50.1006.19.08 NH Hwy Safety – DWI Patrols
- 50.1011.19.01 Law Enforcement OARI (Granite Hammer Drug/Opioid Abuse Reduction)

**MOTION:** Commissioner Tollner made a motion to accept the budget reports. Motion seconded by Commissioner Plante. All in favor.

**FY2020 Proposed Operating Budget:**

Business Manager Karen Smith discussed/outlined a summary of the preliminary Proposed Budget for FY2020 as follows. It should be noted that the Mayor has requested that budget increase not be more than 2.25%.

**FY2020 General Fund – Appropriation: \$22,194,976 (prior to benefits)**

- The FY2020 Proposed Budget figure shows an increase of 3.5%, (for a total of \$760,762), over the FY2019 budget of \$21,434,216.
- The majority of the budget increase is for the cost of wages and union contract related increases.
- The balance of the proposed budget is for operational account increase to include: \$61,000 for SAN storage for desktops and Police Records Management.
- Due to the Utility guidelines received from the City, the budget for the Fuel Account was level funded in FY2020 which is one of the accounts intended to absorb the FY2019 bottom line (\$94,935) reduction.

**FY2020 General Fund – Revenue: \$103,501**

- **Account 42524 Firearm Licenses:** Revenue projection was increased by \$3,000 to bring it up to last year's revenue and this year's projection of \$4,000.
- **Account 44170 Witness Fees:** Revenue projection was decreased by \$15,000 to bring it down to last year's actual revenue and this year's projection of \$15,000.
- **Account 44177 Fingerprint Card:** Revenue projection was increased by \$4,000 to bring it up to the two-year gradual increase for this year's projection of \$14,000.
- **Account 44205 Letter of Good Conduct:** Revenue projection was decreased by \$500 based on the two-year history and projections for this year's revenue of \$250.
- **Account 44212 Daily Log Letter:** Revenue was reduced to \$1,000 based on the two-year history and projections for this year's revenue of \$1,000.

**Application for VAWA Grant:**

- Funding in the amount of \$58,000 and contingency match of \$74,256. This Grant is for the salary and benefits for two positions – Domestic Violence Officer and Victim Advocate.

**Letter to CFO Griffin:**

- Request for \$100,000 transfer to Trust Fund Account 7080 Police Overtime FY2020.

The proposed FY2020 budget will be submitted to the City. A discussion with the Mayor is scheduled for February 14, 2019.

**MOTION:** Motion by Commissioner Tollner, seconded by Commissioner Plante, to approve the preliminary proposed budget for FY2020 in the amount of \$22,194,976 (with a proposed General Fund Revenue in the amount of \$103,501) for submission purposes to the City. This budget is subject to change following an upcoming budget meeting with Mayor Donchess on February 14, 2019. All in favor.

**ACTIVITY REPORT:**

**Deputy Chief James Testaverde reported the following:**

On December 4, 2018, officers responded to Kinsley Street for a robbery. A masked male stole lottery tickets from behind the counter and, when leaving, pushed the female clerk to the ground to escape. A suspect, who was tied to the Kinsley Street robbery, was later located following a burglary on Crown Street.

On December 20, 2018, an officer attempted to initiate a motor vehicle stop on a pickup truck on Bridge Street for a speeding violation. The pursuit was terminated due to excessive speeds shortly after crossing into Hudson on Ferry Street (Rt. 111). A short time later, the vehicle was discovered on Burnham Road in Hudson after it crashed into a tree. The accident was a single-vehicle collision involving the sole occupant of the pick-up truck. The operator sustained serious injuries after being ejected from the vehicle. The operator was transported to SNHMC where he was later med-flighted to Beth Israel Hospital in Boston. The operator will be charged with Disobeying an Officer by the Nashua Police Department and Felony Aggravated DWI by the Hudson Police Department. (Third Shift)

Police responded to a shots fire call in which rounds were fired into a wall. Negotiators were dispatched were able to talk the subject into coming out. The subject was arrested without incident.

Police responded to Boston Billiards for a counterfeit money complaint. Officer Flanagan (a junior officer) did a great job by asking the right questions and preparing a thorough case package.

**Deputy Chief Michael Carignan reported the following:**

One of NPD's Goals & Objectives for 2018 was to increase the frequency of registered sex offender compliance checks leading to a higher accountability for sex offenders living in Nashua. NPD partially met the new goal by checking on each sex offender twice during the year (goal was four times each year). No department overtime was incurred due to grant funding for this purpose. A grant has been secured for 2019. In 2017, checks were completed on between 12-18 offenders. Using the new NPD guidelines, NPD members completed the following checks in 2018:

- 370 offender checks
- 218 offenders were successfully located
- 152 offenders were not in compliance
- 28 arrests were made

**Professional Standards Bureau:**

A police recruit test is scheduled for Saturday with currently 40 applications. Consideration is being given to possibly conducting monthly tests rather than testing three times each year. The only concern at this point is having the funding available for hiring new officers.

**Services Bureau:**

Deputy Carignan will keep the Commissioners updated regarding the HVAC repair report and the new window bids.

Of note, the Nashua Fire Department is hiring Dispatchers at a starting wage of \$48,000. In comparison, the starting wage for a Nashua Police Communications Technician is \$32,000. This will need to be addressed further in the near future.

**Information Technology:**

Funds to complete the SAN Network project has been included in the FY2020 proposed budget. This project is critical for NPD police record storage. A discussion will take place with the Mayor regarding the possibility of combining this project with other City IT projects for bonding.

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

**CORRESPONDENCE FROM THE PUBLIC & OTHER AGENCIES:**

Chief Lavoie gave the Commissioners an overview of letters of appreciation received from the public and outside agencies including the following:

- City of Manchester Police Department (Mutual Aid assistance regarding a bomb threat)
- Citizen (Assistance with locating vehicle)

**MOTION:** Commissioner Dahl, made a motion to accept the correspondence. The motion was seconded by Commissioner Plante. All in favor.

**RESIGNATIONS:**

- Master Patrolman Lauren Hawkesworth: Resignation effective January 17, 2019.

**MOTION:** Commissioner Plante made a motion to accept the resignation of MPO Lauren Hawkesworth effective January 17, 2019. The motion was seconded by Commissioner Dahl. All in favor.

**AWARD:**

For the Record

***Commendation Bar for Meritorious Service: (Weapon confiscation following a hit and run accident)***

- Officer Don Weiss

**OTHER BUSINESS:**

There was no other business to come before the Commission.

**PUBLIC COMMENT:**

Citizen Mr. Deneault:

Inquired about the status of the cleaning of the firearms range. Deputy Carignan informed him that we are working on it.

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

- Monday, February 25, 2019, at 6:00 p.m.

**ADJOURNMENT**

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

Time: 6:58 p.m.

Respectfully submitted,

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Commissioner Nicholas Dahl, Clerk