

December 16, 2014

The Nashua Police Commission held a meeting on Tuesday, December 16, 2014, at the Nashua Police Department.

Members present:

Commissioner Thomas A. Maffee, Chairman
Commissioner Robert E. Valade, Clerk
Commissioner Carl Andrade
Chief John Seusing
Deputy 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
Matthew Plante
Telegraph Report Dean Shalhoup

PUBLIC SESSION

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

MINUTES:

- November 13, 2014

MOTION: Commissioner Valade made a motion to approve the minutes of the November 13, 2014, meeting. Motion seconded by Commissioner Andrade.

PUBLIC COMMENT:

Commissioners Maffee and Andrade thanked Chief Seusing for his service to the Nashua Police Department and best wishes for his upcoming retirement. Mr. Plante also congratulated Chief Seusing on his upcoming retirement.

BUDGET:

Business Manager Karen Smith gave the Commissioners the following budget report.

Department Detail Expenditure Report FY2015:

- Twenty one (21) of fifty two (52) payroll weeks have been processed or should be at 40% of the average appropriation.
- The "Budget Adjustment Account" 51900, \$676,942, reflects FY2015 funding for the recently settled Patrol, Teamsters, and Communications contracts. (Planning for \$67,000 earmarked for raises for the overtime account, \$18,000 for the Education Incentive account, \$41,000 for Holiday pay, and \$8,000+ MPOII pay.)
- The overtime accounts' budgets collectively total \$1,007,619 plus the remaining portion of the budget adjustment account 51900, \$67,000, earmarked for overtime, brings the overtime budget up to \$1,074,619. The November year-to-date overtime expenses of \$608,938 equals a percent used of 57%.
- The budget report reflects that we are operating at 42% in the bottom line 51 Salaries and Wages accounts.
- The (\$140,000) reduction for attrition is included in the current 42% used calculation for the bottom line payroll.
- The contract retro escrow transfer is included in account 51995 in the amount of \$508,865.
- When eight officers are hired in December, we will need to see the overtime come down again as there will not be payroll vacancy surplus to offset the overtime.
- We will see two more recruits finish the academy and procedure school by March 2015 and again this will eliminate some overtime.

Payroll Cost Analysis:

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

"Scenario One" (blue) includes the hypothetical overtime expenditures at \$26,000 weekly (line 15) and adjustments to the payroll for the weeks based on in-grade promotions, new hires, and retirements which averaged \$295,000 for the next 31 weeks (line 33). In this analysis, the payroll budget has already been adjusted for the recently settled Patrol, Communications, and Teamsters contracts and received a \$676,942 increase on line 29. The bottom-line in analysis 2 (line 41) shows a potential deficit based on the scenario. A portion of this amount may be absorbed in the Department's budget if there are any potential retirements and from the operational side of the budget; however, it is too early to make any precise projections.

"Scenario Two" (orange) includes the overtime expenditures hypothetically reducing to \$22,000 weekly (line 15) (down from \$29,000 average weekly July - November). 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 31 weeks (line 33). In this analysis, the payroll budget has already been adjusted for the recently settled Patrol, Communications, and Teamsters contracts and received a \$676,942 increase (line 29). The bottom line in analysis 1 (line 41), again shows a potential deficit. A portion of this amount may be absorbed in the Department's budget depending on vacancies and from the operational side of the budget; however, it is too early to make any projections.

Functioning Strength:

A chart was provided comparing the functioning strength vacancies which is vacancies plus officers unavailable due to attendance at the NH Police Standards and Training Academy or procedure school.

The average weekly overtime for October and November was \$32,408 and the functioning strength averaged 11 vacancies and officers in training. The average weekly overtime for the month of September was \$26,617 and has been at that level since May of FY2014. This is still an increase from the \$20,000 weekly overtime we saw in the fall FY2014 (September, October, November, and December), and in March and April of FY2014, when our functioning strength was averaging four officers unavailable due to vacancies or in training.

FY2015 Overtime Weekly Payroll:

- The overtime for FY2015 included 4th of July activities in the amount of \$9,000 paid in July. We had an increase in coverage overtime for July and the last week of July included an SRT callout in the amount of \$2,169.
- August overtime included an increase in regular overtime in the area of evidence, legal, fleet, building, and misc. including an SRT callout in the amount of \$1,295 as well as higher overtime in investigative and coverage overtime.
- September saw overtime with two SRT call outs, one at the beginning of the month in the amount of \$2,151 and a second at the end of the month in the amount of \$3,822. Coverage and Investigative overtime was higher during some weeks in the month of September.
- October continued to see high overtime. The week paid October 23 included \$2,735 for the Fall Parade, \$4,349 for recruiting, and \$8,314 for an SRT call out to the Keene Pumpkin Festival.
- November had overtime for the Veteran's Day parade, Fleet Maintenance, Evidence, Clandestine Lab Unit, Recruiting, training, daylight savings overtime, FTO overtime, as well as high coverage and investigative overtime during November.
- The December 4th overtime, all categories total for the week, was \$69,000, and the December 11th overtime, all categories total for the week, was \$78,826.
- The Baldwin Street/Hutchinson Street (Haley) overtime will be calculated from payroll paid 12/11 and was \$26,593 for a running total overtime for the case of \$27,560.
- The Oak Street (Gage) case paid on 12/4 was \$33,586 plus an additional \$14,500 paid 12/11 for a running total overtime for the case of \$48,488.

Payroll & Overtime Comparison Graphs:

A. NPD Monthly Overtime (All Types) FY2013, FY2014 and FY2015 Comparison:

- The FY15 budgeted monthly overtime has been increased to \$87,893 due to ratified contracts for Patrolmen, Communications, and Teamsters for all budgeted overtime collectively.
- The contract increase is calculated on the overtime budget, which we know is underfunded and would need surplus in the payroll account to cover any difference. The graph shows the trend comparison for FY13, FY14, and FY15 compared to the budgeted amount.
- Please note that the blue line for FY13 had forced intervention during an eight week period in May and June by reassigning the POP unit personnel, Traffic Unit, and other temporary measures taken to limit overtime due to budget deficiencies. The month of October showed a spike in overall overtime, plus it was the retroactive overtime paid back to July 1, 2014 (FY2015).

B. NPD Coverage Overtime Fiscal Years 2013 to 2015 Comparison:

- The coverage overtime in red is FY2014, and last year's overtime often came back down into the low \$20,000 and helped to keep in line with the reduced budget.
- In comparison FY2013 ran much higher most of the year until the overtime was forced to be dropped in May and June.
- FY2015 ran high for the first quarter of 2015. October had an even higher spike in overtime coverage during October.
- We did see some relief from the October overtime spike in coverage overtime when the promoted officers became available at the completion of field training in mid November.

C. NPD Monthly Investigative Overtime FY2013 – FY2015 comparison:

- Investigative overtime has its own trend for each year depending on cases. Next month's reporting will show a spike in December for the large cases the last week of November, but the overtime was paid in December.

D. NPD Budgeted Payroll FY2013 – 2015 Comparison

- The full-time payroll has trended pretty much the same over the past two years especially with contracts being very consistent during the analysis period and unsettled agreements for fiscal years 2013 and 2014.
- The chart was updated to include a transfer from contract negotiations contingency which moved the purple base line representing the FY2015 budget to \$1,250,345.
- The spike in October includes payroll expenditure in the current fiscal year retroactive to include July, August, and September.
- The payroll trended both above and below the monthly budget again based on vacancies; however the payroll was used to offset the overtime overages.

E. NPD Fiscal Year Overtime Coverage Analysis FY2015 YTD, FY2014 and FY2013 Comparison.

This analysis is based on the study of excused absences.

- The excused absences in November of FY2015 averaged 793 hours per month with 165 overtime hours per month coverage.
- The excused absences in FY2014 for November averaged 640 hours per month with an average of 71 hours per month overtime coverage.
- The excused absences in FY2013 for November averaged 543 hours per month with an average of 141 hours per month overtime coverage.

Comparing this data for the three years, and referring back to the Functioning Strength Analysis, we note FY2014 had lower hours covered during these month at an average of 71 hours per month due to the number of officers unavailable for duty due to vacancies or the academy, and procedure school was at four.

While in FY2015 we see the overtime hours per month for coverage at 165 hours similar to FY2013. FY2013 is in the same range as FT2915 at 141 hours with functioning strength vacancies of 10 and 11 respectively.

FY2015 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.

- The reporting for October included \$3,848 overtime for an SRT callout resulting in three arrests.
- \$8,314 for the Keene Pumpkin Festival SRT call out, above and beyond the amount that was paid by Keene for scheduled manpower.
- The City’s fall parade included \$2,734 overtime.
- There was overtime in the amount of \$1,621 related to the Clan Lab activation in October and \$1,140 in November.
- Recruiting for the testing incurred \$4,349 overtime in October and \$2,226 in November for the processing of backgrounds.
- The report reflects numerous investigative cases in October and November including multiple death investigations and robberies.
- Training occurred as well as overtime for field training overtime in the amount of \$3,291 paid in October and \$3,819 overtime paid in November.
- The Baldwin Street/Hutchinson Street (Haley) overtime has a running total overtime for the case of \$27,560.
- The Oak Street (Gage) case has a running total overtime for the case of \$48,488.

Eight-Year Overtime Analysis:

- A chart was provided listing the overtime budgets requested, approved, expenditures, adjustments, and ending balances for eight years.
- Reference was made to the overtime budget reductions received in FY2010, FY2011, and FY2012. FY2012 also received a \$178,000 adjustment NPD requested bringing the reduction down from (\$318,278) to (\$140,278).
- Overtime expenditures are over budget each year and correlate to the vacancies and average functioning strength vacancies. FY2009, FY2010, and FY2011 had significant surplus in the overall budget at the end of the year due to a higher approved overtime budget. FY2011 included NPD budget surplus funds in the amount of \$270,295 that were used to fund a deficit in the City’s retirement contingency account for that fiscal year.
- Fiscal years 2013, 2014, and 2015 had significant budget reductions compared to the prior years, and the overtime expenditures have been more difficult to balance to the approved payroll budget.

Department Revenue Report FY2015:

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

Strength Report:

The Commission received a copy of the November 2014 Strength Report.

November 2014	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	185	178	171	7
Total Sworn Part-Time		1	1	0
Total Non-Sworn Members	6	6	4	2
Total Part-Time Civilians	9	6	5	1
Total Full-Time Civilian	68	62	60	2
Total Grant Civilian	1	1	1	0
TOTAL:	269	254	242	12

NPD Three Year Payroll and Overtime Comparison Report:

The report gives the overtime for Regular, Training, Witness, Investigative, and Coverage for FY2015, FY2014 and FY2013. Looking at each year’s budget and the amount spent at midyear, we find that FY2013 was at 75% used, FY2014 was at 59% used, and FY15 as of 12/11/14 including YTD homicide investigative overtime was at 71% used. It is important to note that the Functioning Strength vacancies for the month of December each year were at an average of 10 in FY2015, an average of 4 in FY2014, and an average of 11 in FY2013. The overtime numbers reflect the Functioning Strength vacancies with the overtime being higher in FY2015 and FY2013 when the Functioning Strength vacancies were greater.

The investigative overtime in F2015 exceeds the overtime for investigations in both FY2014 and FY2013.

Summary of Reasons for NPD FY2015 Budget Overages:

1. The overtime budget is underfunded. The method of underfunding the NPD overtime budget, in anticipation of attrition to make up the shortage through the full-time payroll, will not be adequate this fiscal year due to an increase in coverage overtime, investigative overtime, and the timely filling of police vacancies.
2. Functioning Strength has higher vacancies in FY2015 than FY2014.
3. High investigative overtime translates into high coverage overtime as well as the coverage overtime required for vacant essential positions.
4. A positive result from recruiting equals low attrition. We had a great turnout of qualified candidates at the last recruit testing and obtained candidates for all eight of the current vacancies. The candidates will be hired the end of December and will attend the January Police Academy. The quick turnaround in filling the vacancies will limit any surplus from the full-time payroll account to offset any overtime overages.

CERF & Finance Committee Meeting Agenda Items (discussion only):

- The ballistic helmets bid was approved at the 11/5 finance meeting and will be paid for with grant funding.
- Bomb training was approved on 11/19 finance meeting and the training will be funded by Homeland Security grant funding.
- Seven Ford Police Interceptors were approved at the 12/3 finance meeting as well as seven mobile data terminals for the cars.
- Prisoner Van – CERF approval received but waiting for State bid pricing to be available.
- ACO Van – CERF approval received but waiting for State bid pricing to be available.
- Accident vehicle – Fleet Maintenance Supervisor Brian Sojka will provide pricing and we will request a CERF meeting.
- Telephone project – pending with City IT.
- Request for finance meeting of 12/17 has been prepared for the bids received on the Class A Ceremonial Uniform Equipment. The low bid was recommended to Riley's Sports Shop in the amount of \$41,550.

MOTION: Commissioner Andrade made a motion to accept the budget reports. Motion seconded by Commissioner Valade.

ACTIVITY REPORT:

Verbal report by Deputy Chief Michael Carignan:

Deputy Carignan gave the commissioners an overview of an aggravated DWI arrest in which the driver struck a Nashua Police Officer with his side mirror while he was conducting a motor vehicle stop. The officer located the driver who left the scene. The officer suffered a minor injury with no lost time from work.

On December 3, 2014, we received a report of a bomb threat. On further investigation, it turned out to be a "swatting" call which is generated through a gaming system. We are continuing to work on trying to identify these types of calls and ways to prevent them.

Detectives continue to actively investigating the death of a 3-year-old child who resided on Oak Street.

Verbal report by Deputy Chief Andrew Lavoie:

Deputy Lavoie gave the Commissioners and update on the increase in heroin overdoses. This continues to be a major problem in the city. This year through December 11, 2014, there have been 117 reported overdose cases. There were 48 reported overdose cases in all of 2013.

The Nashua Police Department, as well as other departments in southern New England, experience a recent phone outage (911 was not affected). The problem was with the phone carrier not the NPD equipment. Although our Communications personnel could not hear the caller, they were able to identify the caller through caller ID and returned their call on a working line. IT personnel put a notice out on CodeRed and Twitter regarding the issue.

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

RETIREMENT:

- Sergeant Michael Fauteux: Retirement effective December 21, 2014

MOTION: Commissioner Valade made a motion to accept the retirement of Sergeant Michael Fauteux effective December 21, 2014. Motion seconded by Commissioner Andrade.

CORRESPONDENCE FROM THE PUBLIC & OTHER AGENCIES:

The Commissioners received copies of letters of appreciation 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.

HIRING:

For the record, the following police recruit candidates will be officially sworn in as First Year Special Officers on Tuesday, December 23, 2014:

- Cody A. Beard
- Lauren E. Collins

- Jonathan C. Earnshaw
- Ryan K. Fitzpatrick
- Andrew T. Fleming
- Ryan J. Malo
- Jonathan P. Turcotte

MASTER PATROLMAN CERTIFICATIONS:

The following Master Patrolmen-I have or will have completed a minimum of twelve continuous years of service during 2014 and 2015 and have satisfactorily completed all other requirements for certification to Master Patrolman II:

Effective December 16, 2014:

- MPO Andrew Hagan
- MPO Kevin Rautenberg
- MPO Kevin Girouard
- MPO Kevin Landry
- MPO Peter Forgione
- MPO James Kennedy
- MPO John Murphy
- MPO Phillip Costa
- MPO Daniel Archambault
- MPO Lakeisha Phelps
- MPO Richard Mossdrop
- MPO Richard Treem
- MPO Michael Dore
- MPO Dennis Lee
- MPO Shaun Mailloux
- MPO Michael Boulay
- MPO Michael Sullivan
- MPO William Adamson
- MPO Keith Inzenga
- MPO Marc Anderson
- MPO Robert Powers

Effective December 18, 2014:

- MPO Aaron Belanger
- MPO Josue Santiago

Effective March 21, 2015:

- MPO Scott Ciszek
- MPO Robert Dunn
- MPO Peter Laroche
- MPO Brian Trefry
- MPO Michael Welch

MOTION: Commissioner Valade made a motion to certify the above listed Master Patrolmen-I to Master Patrolmen-II on the above listed effective dates. The motion was seconded by Commissioner Andrade.

OTHER BUSINESS:

Alderman Wilshire congratulated Chief Seusing on his upcoming retirement and thanked him for his years of service. Chief Seusing stated that it was a pleasure working with Aldermen Wilshire and Soucy.

There will be a swearing in of eight new officers on Tuesday, December 23, 2014.

Deputy Chief Andrew Lavoie will be promoted to the rank of Chief of Police on Wednesday, December 31, 2014, at 10:00 a.m.

Telegraph reporter Shalhoup asked if there was any more information on the investigation regarding the death of the 3-year-old child on Oak Street. Deputy Lavoie responded that the case is still under investigation and any information regarding the case would come from the Attorney General's office.

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

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

A roll call vote was taken:

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

MOTION TO SEAL RSA 91-A:3 III: Commissioner Andrade made a motion to seal the minutes of the non-public session. The motion was seconded by Commissioner Valade.

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.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

Tuesday, January 20, 2014.

ADJOURNMENT

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

Time: 7:27 p.m.

Respectfully submitted,

Commissioner Robert Valade, Clerk