

November 19, 2018

The Nashua Police Commission held a public meeting on Monday, November 19, 2018, 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 Denis Linehan (not in attendance)  
Karen Smith, NPD Business Manager  
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

**Others Attending the Public Session:**

Aldermanic Liaison Lori Wilshire (not in attendance)  
Aldermanic Liaison Ernest Jette (not in attendance)  
Two public citizens

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**PUBLIC SESSION**

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

**APPROVAL OF MINUTES:**

- October 22, 2018

**MOTION:** Commissioner Tollner made a motion to approve the minutes of the October 22, 2018, meeting. Motion seconded by Commissioner Plante. All in favor.

**BUDGET:**

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

**Grant:**

Accept funds from State of NH, 2018 Crime Victim Assistance Discretionary Grant in the amount of \$7,644 for the purpose of tuition and related travel cost associated with members of our Domestic Violence Unit to attend the "Prosecuting and Providing Essential & Meaningful Victim Resources Seminar" in Long Beach, CA, October 28 – November 2, 2018. No matching funds are required.

**FY2019 Expenditure Report:**

The Commission received a copy of the October 31, 2018, Expenditure Report. The Expenditure Report includes 17 of 52 weeks of payroll which is 40% of the annual budget. The current overtime budget account 51322 now includes the transfer in the amount of \$97,865 from the Overtime Expendable Trust Fund account for two separate incidents in July for overtime related to a shooting and an ongoing homicide investigation.

Funding the bottom line reduction in account 90120 Mayoral Budget Adjustments in the amount of (\$94,935): It is still early in the year, so Ms. Smith will continue to monitor the Full-time Payroll account and the Overtime account as she monitors the progression of the recruitment plans in the coming month. She will also monitor the use of funds from operational accounts such as the fuel account to determine the best method to fund the bottom line reduction by year-end.

**FY2019 Revenue Report:**

The Commission received a copy of the October 31, 2018, Revenue Report.

**FY2019 Weekly Payroll Overtime:**

The overtime averaged \$39,187 per week during the month of October.

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

Overtime during the month of October included the continuation of the homicide investigation from July in the amount of \$5,233, Second Degree Assault, Reckless Operation, DUI with Serious Injury, Theft of Services, Discharge of a Firearm, miscellaneous drug cases, miscellaneous duty, and training for the Dive Unit, K9 Unit, Use of Force, and SWAT.

**Sworn Functioning Strength Analysis:**

The functional strength includes nine vacant sworn positions, three officers in Field Training, and five positions that have required overtime backfill due to extended leave status of employees. Seventeen positions are unavailable and not part of the Functioning Strength.

**Strength Report:**

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

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	186	179	170	9
Total Non-Sworn Members	1	1	1	0
Total Part-Time Civilians	3	4	3	1
Total Full-Time Civilians	71	62	63	-1
Total Grant Civilians	1	1	1	0
TOTAL:	262	247	238	9

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

#### **ACTIVITY REPORT:**

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

One of NPD's Computer Forensic Unit Detectives worked on four cases involving subjects who were attempting to meet juvenile females online. Four arrests were made.

On October 14, 2018, Patrol responded to three separate locations in the Crown Hill area over the period of two hours for the report of fires. The first was a brush fire, the second was for a fire in a dumpster, and the third was for a small structure fire at the rear of 24 Crown Street. Patrol located the suspect in the area and identified him as a possible suspect. He was arrested and detectives furthered the investigation charging him with Arson, Class A Felony.

The POP Unit recently conducted an investigation into the theft of a firearm. The subject was later arrested.

Our new National Guard Crime Analyst is working in conjunction with NPD's Crime Analyst to identify crime hot spots.

Detectives identified a suspect in a recent robbery at the Shell Station on Main Street. The suspect was later arrested and made admissions to the robbery.

##### ***Opioid Statistics:***

2018 Year to Date Total Overdoses: 245

2018 Opioid Overdose Deaths: 23

##### ***Services Bureau:***

This week the second heat pump failed. Both pumps were replaced. The pumps cost approximately \$5,000 each. Corporate Counsel approved the HVAC analysis contract and they are ready to do a full analysis of the system. The replacement heat pumps will be incorporated into the new system.

Firearms Range: A three-step full cleanup of the range will be completed including replacing the carpeting. Once the range is cleaned, a cleaning cycle plan will be enacted. An action plan will also be put in place regarding lead safety, etc.

Generator: CALEA Accreditation requires that a generator test be conducted annually. During the test, the regular power switched to generator power; however, the generator power would not switch back to regular power. The generator is under warranty and the problem was identified and repaired.

Commissioner Plante commented on the number of motor vehicle stops on third shift (twice that of second shift). Deputy Carignan responded that third shift generally conducts more traffic stops than second shift as there are not as many other calls for service during that time so officers can concentrate on traffic stops.

**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:

- The Salvation Army (Assistance with Applefest fundraiser)
- Gateways Community Services (Assistance / Guidance regarding challenging cases)
- NH Attorney General (Assistance w/search warrant for parole violation)
- NH Attorney General (Assistance w/search warrant regarding a fraud case)
- City of Manchester (Assistance with Sergeant Oral Boards)
- Polk County Sheriff's Office (ICAC training)
- Citizen (Thank you for crime sweeps in Nashua)
- Nashua Teacher Deana Lavoie (Assistance with Walk to School Day)
- Adult Learning Center (Participation in Community Resources Expo 2018)
- Citizen (Thank you for Citizens Academy)

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

**CIVILIAN HIRES:**

For the Record:

- Probationary Communications Technician Michael Richardson: Effective October 29, 2018

**RESIGNATION:**

- Sergeant Ty Kucharski: Resignation effective November 20, 2018.

**MOTION:** Commissioner Tollner made a motion to accept the resignation of Sergeant Ty Kucharski effective November 20, 2018. The motion was seconded by Commissioner Plante. All in favor.

- Auto Mechanic 1<sup>st</sup> Class Ronald Page: Resignation effective November 24, 2018.

**MOTION:** Commissioner Tollner made a motion to accept the resignation of Auto Mechanic 1<sup>st</sup> Class Ronald Page effective November 24, 2018. The motion was seconded by Commissioner Plante. All in favor.

**MASTER PATROLMAN CERTIFICATIONS:**

***Master Patrolman Certifications:***

The below listed Senior Patrolmen will complete a minimum of seven continuous years of service during 2019 and have satisfactorily completed all other requirement for certification to Master Patrolman.

***Effective May 30, 2019:***

- Senior Patrolman Michael Debisz
- Senior Patrolman Thomas Durden
- Senior Patrolman David Elliott
- Senior Patrolman Daniel Hayden
- Senior Patrolman Gregory Miller
- Senior Patrolman Christopher Murphy
- Senior Patrolman Don Weiss

**MOTION:** Commissioner Plante made a motion to certify the above listed Senior Patrolmen to the rank of Master Patrolman on their effective dates. The motion was seconded by Commissioner Dahl. All in favor.

**AWARDS:**

For the Record

***Commendation Bar for Lifesaving: (18-48944 Suicidal Female)***

- Officer Kyle Ingersoll
- Officer Jonathan Turcotte

***Telegraph Best of Greater Nashua 2018 – Best Police Officer***

- Lieutenant Carlos Camacho

**OTHER BUSINESS:**

Mr. Joseph Haas has filed a lawsuit against NPD and McLaughlin regarding a property auction that he was not allowed to attend. Mr. Haas filed the lawsuit in small claims court asking for \$5,000 in damages. Corporation Counsel Attorney Steve Bolton will represent the city in small claims court.

Chief Lavoie attended the two-year anniversary ceremony for Safe Stations. Thus far, approximately 2,500 people have sought assistance through Safe Stations which shows the program is making a difference in people's lives.

**PUBLIC COMMENT:**

There were no public comments.

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**NON-PUBLIC SESSION**

**MINUTES NOT SEALED**

**PUBLIC SESSION INTO NONPUBLIC SESSION: 6:43 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:**

**A. 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

***Recommendation for Promotion to Sergeant: (Due to the resignation of Sergeant Ty Kucharski)***

- **Master Patrolman-II Eric Boutwell**

Chief Lavoie presented his recommendation for promotion to Sergeant to the Police Commissioners. The Police Commissioners received a copy of MPO-II Boutwell’s personnel history for review.

**MOTION:** Commissioner Tollner made a motion to approve Chief Lavoie’s recommendation to promote MPO-II Eric Boutwell to the rank of Sergeant. The promotional ceremony will be scheduled for December 4, 2018, at 10:00 a.m. The motion was seconded by Commissioner Plante. All in favor.

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**NON-PUBLIC SESSION**

**MINUTES SEALED**

**MOTION:** Commissioner Tollner asked for a motion by roll call vote to *continue* the Non-Public session as authorized by:

**Item #2:**

**RSA 91-A:3, II (b):** “The hiring of any person as a public employee”.

Motion by Commissioner Tollner, seconded by Commissioner Plante.

*A roll call vote was taken:*

- Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes

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**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: 7:08 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 #2**).

***Item #2: RSA 91-A:3, II (b):***

“The hiring of any person as a public employee”.

**MOTION:** Motion by Commissioner Tollner, seconded by Commissioner Dahl, to seal the minutes of the Non-Public Session (**Item #2**) as authorized above. All in favor.

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

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

- Monday, December 17, 2018, 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 Plante.

**Time: 7:10 p.m.**

Respectfully submitted,

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Commissioner Nicholas Dahl, Clerk