

February 19, 2015

The Nashua Police Commission held a meeting on Thursday, February 19, 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  
Karen Smith, NPD Business Manager  
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

**Others Attending the Public Session:**

Alderman Lori Wilshire (not in attendance)  
Alderman Michael Soucy  
Members of the Public

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**PUBLIC SESSION**

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

**MINUTES:**

- January 20, 2015

**MOTION:** Commissioner Valade made a motion to approve the minutes of the January 20, 2015, meeting. Motion seconded by Commissioner Andrade.

**PUBLIC COMMENT:**

Citizen Matthew Plante: Mr. Plante requested that it would be helpful when he attends a Commission meeting if he could get a copy of the activity report, budget reports, or other documents being discussed so he can follow along at the meeting. A copy of the activity report from tonight's meeting was copied and provided to him.

**BUDGET:**

Business Manager Karen Smith provided the Commissioners monthly budget reports. Commissioner Andrade stated that the reports were reviewed in advance of the meeting; therefore, Karen Smith gave only a brief summary of the reports.

**Grants:**

The Commissioners were provided with copies of five award letters for grants received from the State of New Hampshire, Highway Safety Agency, for the period of January 6 through September 15, 2015. They were also provided with a Domestic Violence Against Women Grant award letter from the Department of Justice.

1. Grant in the amount of \$10,140 for the purpose of paying overtime for DWI/DUI patrols.
2. Grant in the amount of \$7,436 for the purpose of paying overtime for speed enforcement patrols.
3. Grant in the amount of \$7,436 for the purpose of paying overtime for the red light running patrols
4. Grant in the amount of \$7,605 for the purpose of paying overtime for the school bus safety patrols
5. Grant in the amount of \$7,436 for the purpose of paying overtime for the pedestrian patrols
6. State of New Hampshire, Department of Justice Violence Against Women Act Grant received in the amount of \$58,000.

**Department Detail Expenditure Report FY2015:**

Karen Smith reported that 30 of 52 payroll weeks have been processed or should be at **57.7%** of the average appropriation. The January year-to-date overtime expenses equal **87%** 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 Two" (orange) includes the overtime expenditures hypothetically reducing to \$22,000 weekly (line 15) (down from \$29,000 average weekly July - November). The report shows a potential deficit of (362,215).

"Scenario Three" (green) includes the overtime expenditures hypothetically reducing to \$14,000 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 \$297,000 for the next 22 weeks (line 33).

The bottom-line in analysis 1 (line 41), again shows a potential deficit of (\$186,215). 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.

***FY2015 Weekly Payroll Overtime:***

A quick summary was given by Karen Smith that the overtime has been averaging \$14,000 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 pointed out the spike in overtime in October when rates increased due to settled contracts, then spiked even higher in December due to the increase in overtime related to the multiple homicides in December, then came down drastically in January as a result of the start of the organizational changes implemented to reduce overtime 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 January 2014 Revenue Report.

***Strength Report:***

The Commission received a copy of the January Strength Report.

***CERF and Finance Committee Agenda Items:***

- Prisoner Van: Waiting for pricing.
- Animal Control Van: Request for Finance meeting of March 4.
- Telephone Project: We are collecting data for the consultant at this time. We contributed to the cost of a consultant for the project.

Chief Lavoie stated that he and his staff have implemented some changes that have positively brought down the FY2015 expected year-end deficit to a manageable level. His budget shortfall action plan includes changes which have brought down the deficit from approximately \$500,000 to possibly \$186,000 by year end, providing overtime stay within a manageable level. He and his staff will continue to review overtime and look at other solutions to manage the budget deficit.

***Proposed FY2016 Budget:***

The Commission received a copy of the FY2016 Proposed Budget Summary of Changes Report.

Chief Lavoie previously met with Mayor Lozeau and she is mandating no higher than a 1.5% increase for the NPD FY2016 budget. In order for us to cover contractual collective bargaining agreements, we would be at a 2.8% increase. Chief Lavoie and his staff have come up with some solutions in order to better manage NPD assets. For example, postponing filling the vacant Deputy Chief position until July will help with reducing our FY2015 year-end deficit. New officers will be completing their training at the end of this fiscal year which will also help bring down costs for the next fiscal year. In addition, we will hold off on filling the vacant Records Technician I position. Sacrifices will have to be made to meet the FY2016 mandate and the Chief and his staff will continue to address cuts that may be needed going forward.

Working with the Mayor's mandate of 1.5% increase, Business Manager Karen Smith presented the Commissioners with a preliminary FY2016 Proposed Budget which reflects a 1.6% budget increase over the FY2015 budget. The majority of the increase covers wages with most accounts being level funded. Each account was reviewed and adjusted to meet the budget guidelines. Karen Smith reviewed the accounts and specified any increased, decreased, or level funded accounts. The proposed budget that was presented has an increase of 1.6% over last year.

**MOTION:** Commissioner Andrade made a motion to approve the preliminary FY2016 budget with a 1.6% increase. Motion seconded by Commissioner Valade. Motion carried.

**ACTIVITY REPORT:**

***Verbal report by Deputy Chief Michael Carignan:***

The new Parking Enforcement vehicle will be a white, non-marked unit, in order to distinguish it and so the public citizens will not confuse it with a police patrol vehicles.

With the reassignment of two School Resource Officers to patrol, patrol officers continue to visit all the schools each day including stopping in at evening school events such as games, etc.

In February, police responded to a reported hit and run motor vehicle/pedestrian accident near CVS. The driver was located and, due to the severe snow and icy road conditions, was unaware of the accident.

K9 Tango, (handler Officer Lang), has been permanently taken out of service due to his aggressive behavior toward the handler. We are in the process of finding suitable arrangements for transferring the dog to possibly Boston Police K9. A suggestion was made that the dog may make a good military K9 and that will be researched further. Due to the lengthy K9 training, we will not seek a replacement.

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Katlyn Schweiss was arrested for a robbery at Walgreens on Main Street in which pills were taken.

NPD assisted the DEA/HIDTA Task Force with an ongoing investigation in which \$250,000 in cash was recovered.

There were 9 drug overdoses reported in January. Chief Lavoie responded that NARCAN does save lives but there are still unanswered questions that the State would need to address such as training, costs, storage of the drug, etc., prior to officers being allowed to administer the drug. Also, in most instances Fire/Ambulance would arrive on the scene prior to police arrival and they carry the drug. Commissioner Andrade suggested that those statistics would be good to have for future reference.

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

**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 civilian employees have been hired:

- Parking Enforcement Specialist: Elvis Lantigua (effective February 9, 2015)
- Senior Relations Specialist (part-time civilian): Jane Constant (effective February 2, 2015)

**AWARDS:**

**EXCHANGE CLUB OFFICER OF THE YEAR 2014 / NPD OFFICER OF THE YEAR:** *Officer Don Weiss*  
*Officer Weiss received his award on January 21, 2015.*

**MEDAL OF VALOR FOR BRAVERY:** *Officer Stephen Morrill*  
*March 22, 2014, Shooting Incident on Perham Street*

**COMMENDATION BAR FOR LIFESAVING:** *Officer Kevin Delaney*  
*December 24, 2014, Unconscious Female in Vehicle*

**LETTER OF COMMENDATION:** *Officer Peter Forgione*  
*November 2, 2014, Gunshot Wound Incident at Kessler Farm Drive*

**LETTER OF COMMENDATION:** *Officer Don Weiss*  
*August 27, 2014, Shots Fired Incident on Pratt Street*

**OTHER BUSINESS:**

Chief Lavoie reported that in 2014, we logged 106,000 calls for service with only 13 citizen complaints, down from 20 complaints in 2013. In 2014, there were 4,473 arrests with 162 Use of Force reports completed compared to in 2013, there were 4,510 arrests with 207 Use of Force reports completed. The reductions in use of force can be attributed to excellent officer training and outstanding first line supervisors.

Chief Lavoie reported that he has been attending a court trial regarding a wage issue lawsuit.

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**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 (a)** DISMISSAL, PROMOTION, COMPENSATION, DISCIPLINE, INVESTIGATION OF ANY PUBLIC EMPLOYEE

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 ..... render the proposed action ineffective”

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

**NON-PUBLIC SESSION**

**MINUTES 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(e) HIRING**

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:** “divulgence of the information likely would affect adversely the reputation of any person other than a member of the body or agency itself”

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

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**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.

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

Thursday, March 19, 2015.

**ADJOURNMENT**

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

**Time: 7:45 p.m.**

Respectfully submitted,

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Commissioner Robert Valade, Clerk