

May 26, 2015

The Nashua Police Commission held a meeting on Tuesday, May 26, 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
Members of the Public

PUBLIC SESSION

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

MINUTES:

- April 28, 2015

MOTION: Commissioner Valade made a motion to approve the minutes of the April 28, 2015, meeting. Motion seconded by Commissioner Maffee.

PUBLIC COMMENT:

Mr. Matthew Plante of 17 Robie Street commented on the recent state approval ruling regarding the administering of NARCAN by police officers in the event of a drug overdose by a citizen. Mr. Plante stated that he believes it can save lives and he is hoping NPD will consider implementing a policy for its use by officers. He understands there are risks involved.

Chief Lavoie agreed with Mr. Plante that it does save lives; however, he stated that in 98% of overdose calls, ambulance and fire personnel arrive at the scene prior to police arrival and they stock NARCAN. There are also issues and questions regarding storing and the costs associated with NARCAN. Administering the drug also comes with a liability issue for NPD as once a victim is revived, that person can refuse to be transported for medical treatment and can “overdose” again once the NARCAN wears off. Because of the many unanswered questions, Chief Lavoie stated that more questions would need to be answered prior to implementing its use by NPD. Mr. Plante stated that he not realize that ambulance/fire personnel generally arrive at an overdose call prior to police 98% of the time.

BUDGET:

Business Manager Karen Smith provided the Commissioners the following monthly budget reports.

Department Detail Expenditure Report FY2015:

Karen Smith reported that 43 of 52 payroll weeks have been processed or should be at 83% of the average appropriation. The April year-to-date overtime expenses equal 116% 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.

Overtime for last week was approximately \$13,000 with overtime cost expected to rise during warmer summer months.

Payroll Costs Analysis:

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

- “Scenario One” 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 deficit of (\$125,000).
- “Scenario Two” includes the overtime expenditures hypothetically reducing to \$22,000 weekly (line 15). The report shows a potential deficit of (\$188,000).
- We anticipate the overages will be absorbed by a surplus in the operational side to including the gasoline account, electric utility account, and repair and maintenance accounts.

FY2015 Weekly Payroll Overtime:

Karen Smith gave a brief summary that the overtime has been averaging \$17,000 weekly 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 reports pointing out the overtime collectively for March and April is at approximately \$100,000 per month. This includes a slight increase in overtime for coverage and a decrease in overtime for investigations. The payroll increased slightly in April due to it being a five week month and with the filling of a sworn vacancy and in-grade promotions.

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 May 2015 Revenue Report.

Strength Report:

The Commission received a copy of the April 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

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

Payroll Items (Language Clarification):

Article 10 Vacation (Supervisors Contract):

(City Payroll requested clarification.)

Karen Smith discussed the current practice of calculating vacation time for an officer when promoted to the supervisory level. Specifically, the current practice is the newly promoted member receives the vacation benefit of the Supervisors union upon the effective date of the promotion.

MOTION: Commissioner Valade made a motion to approve the language clarification above for vacation time when an officer is promoted to a supervisory level. The newly promoted supervisor will receive the vacation benefit beginning on the effective date of the promotion. Motion seconded by Commissioner Maffee.

Military Leave:

(City Payroll requested clarification)

Karen Smith discussed the current policy of calculating military leave pay, specifically, reducing the weekly amount paid by NPD by the amount received through Military pay, except for days served with the military that were not regular work days, i.e., weekends or regular days off.

MOTION: Commissioner Valade made a motion to approve the language clarification above for calculating military leave pay. Motion seconded by Commissioner Maffee.

Outside Detail Rates (Sidebar):

Revision to 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.

Revision: The Outside Detail rate will be effective May 31, 2015.

MOTION: Commissioner Valade made a motion to approve the revision to the Sidebar Agreements. The new Outside Detail rate will be effective on May 31, 2015. Motion seconded by Commissioner Maffee.

BENEFIT PACKAGES:

Members of the Chief Executive Offices: Effective 7/1/15 – 6/30/16

ARTICLE	CEO SUMMARY OF CHANGES
Established Salaries	Effective 7/1/15: 2% increase Effective 1/1/16: 1% increase

Annual Leave (Vacation)	<ul style="list-style-type: none"> • Language clarification. • An employee may use up to 10 days over their annual amount in their last year of service. • 25 days after 15 years of service (currently at 16 years) (to align with the supervisors contract)
Bereavement	In the event of the death of an employee’s parent, spouse or child, bereavement leave shall consist of four (4) consecutive days. (This now aligns with the Supervisor’s contract).
Dental Program	High Option Dental option added. The employee will be responsible for paying for the full additional premium. (effective 7/1/15)

MOTION: Commissioner Valade made a motion to approve the changes to the CEO Benefit Package effective 7/1/15 – 6/30/16. Motion seconded by Commissioner Maffee.

Staff Members: Effective 7/1/15 – 6/30/16

ARTICLE	STAFF SUMMARY OF CHANGES
Established Salaries	Effective 7/1/15: 2% increase Effective 1/1/16: 1% increase
Annual Leave (Vacation)	<ul style="list-style-type: none"> • Language clarification. • An employee may use up to 10 days over their annual amount in their last year of service. • 25 days after 15 years of service (currently at 16 years) (to align with the supervisors contract) •
Bereavement	In the event of the death of an employee’s parent, spouse or child, bereavement leave shall consist of four (4) consecutive days. (This now aligns with the Supervisor’s contract).
Dental Program	High Option Dental option added. The employee will be responsible for paying for the full additional premium. (effective 7/1/15)

MOTION: Commissioner Valade made a motion to approve the changes to the Staff Member Benefit Package effective 7/1/15 – 6/30/16. Motion seconded by Commissioner Maffee.

First Year Special Officer Benefit Package: Effective 7/1/15 – 6/30/16

ARTICLE	FIRST YEAR SPECIAL OFFICER SUMMARY OF CHANGES
Article 19 Wages	Effective 7/1/15: 2% increase Effective 1/1/16: 1% increase
Article 17 Bereavement	In the event of the death of an employee’s parent, spouse or child, bereavement leave shall consist of four (4) consecutive days. (This now aligns with the Supervisor’s contract).
Article 23 Dental Insurance	High Option Dental option added. The employee will be responsible for paying for the full additional premium. (Added through a sidebar effective 7/1/15)
Article 22 Outside Details	Rate changed through a sidebar effective 5/31/15

MOTION: Commissioner Valade made a motion to approve the changes to the First Year Special Officer Benefit Package effective 7/1/15 – 6/30/16. Motion seconded by Commissioner Valade.

Animal Control & Parking Enforcement Specialist Benefit Package: Effective 7/1/15 – 6/30/16

ARTICLE	ANIMAL CONTROL & PARKING ENFORCEMENT SUMMARY OF CHANGES
Wages	Effective 7/1/15: 2% increase Effective 1/1/16: 1% increase
Bereavement Leave	In the event of the death of an employee’s parent, spouse or child, bereavement leave shall consist of four (4) consecutive days. (This now aligns with other contracts).
Dental Insurance	High Option Dental option added. The employee will be responsible for paying for the full additional premium. (effective 7/1/15)
Holiday Pay	Language change Change Martin Luther King, Jr., Day to Civil Rights Day Change Fourth of July to Independence Day

MOTION: Commissioner Valade made a motion to approve the changes to the Animal Control & Parking Enforcement Benefit Package effective 7/1/15 – 6/30/16. Motion seconded by Commissioner Maffee.

ACTIVITY REPORT:

Verbal report by Deputy Chief Michael Carignan:

Deputy Carignan gave the Commissioners an overview of a few recent incidents. Thomas Smith was arrested and charged with Second Degree murder of Craig Guilmette on the night of the Holiday Stroll in November 2014.

Detectives completed an investigation and determined that a 49-year-old male (Squire Drive) with a significant amount of knife wounds was a suicide and not a homicide.

The POP Unit teamed up and assisted the Liquor Commission with an underage alcohol sting.

It was a tough week at NPD following the off-duty death of Patrolman Keith Trombley. Officer Trombley was a third shift officer. Officers, including Deputy Chief Carignan, volunteered to cover shifts for other 3rd shift officers who were dealing with the loss of a fellow officer on their assigned shift. Officers were assigned to assist the Trombley family and Emily Goy (a NPD dispatcher and girlfriend of Officer Trombley) with arrangements and other matters. Wives of officers also assisted with providing meals for the family. Commissioners Maffee and Valade commented on the sincere responses and condolences from the public and other agencies. The Chief and his staff will meet to review any improvements that may be needed for any future incidents such as this one.

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

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.

OFF-DUTY DEATH:

For the record, Patrolman Keith Trombley passed away from an off-duty injury on May 7, 2015. He was sworn in as a member of the Nashua Police Department on December 19, 2012.

CIVILIAN HIRE / CHANGE OF POSITION:

For the Record:

- Kathie Lavoie has been hired for the position of Records Technician I effective May 11, 2015.
- Records Technician I Jenny Fitzgerald has changed positions to Dispatcher Effective June 2, 2015.

OTHER BUSINESS:

On May 21, 2015, The Nashua Police Department and other community agencies and organizations sponsored the first “Nashua Community Conversation on Race and Justice: Honoring Diversity & Equity” forum which was held at Rivier College. As part of a proactive policing effort, the forum gave approximately 200 attending community members an opportunity to understand and address concerns within the city.

Alderman Michael Soucy thanked the Chief, Deputy, and Commissioners for submitting a well-put together FY2016 budget that was within the budget mandate of a 1.5% increase over last year’s budget. Alderman Soucy recognizes the budgetary challenges the Nashua Police Department faces in the next fiscal year and requested to meet with the Chief and Deputy Chief to have a conversation regarding a proposal to add additional funds to the budget. He requested that they identify specific needs or priorities needing consideration, such as, restoring a bicycle officer presence in the downtown area. Commissioner Maffee agreed that a police presence is needed in the downtown and along the bike path. A meeting will be scheduled early next week to discuss this further. Alderman Wilshire is in agreement.

NEXT MEETING:

The next Police Commission meeting is tentatively scheduled for Tuesday, June 16, 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.

Chief Lavoie’s Recommendations for Promotions effective July 1, 2015:

- Promotion to the Rank of Deputy Chief of Uniform Operations: Captain Denis Linehan
- Promotion to the Rank of Captain: Lieutenant Eric Nordengren
- Promotion to the Rank of Lieutenant: Sergeant Kerry Baxter
- Promotion to the Rank of Sergeant: MPO Matthew Difava

Chief Lavoie gave the Commissioners an overview of each of his recommended promotional candidates as listed above. Personnel information for each candidate was provided for the Commissioners review.

MOTION: Commissioner Valade made a motion to approve Chief Lavoie’s recommendations for promotions as listed above effective July 1, 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.

RETURN TO PUBLIC SESSION

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Tuesday, June 16, 2015

ADJOURNMENT

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

Time: 7:05 p.m.

Respectfully submitted,

Commissioner Robert Valade, Clerk