

October 15, 2013

The Nashua Police Commission held a meeting on Tuesday, October 15, 2013, in the Nashua Police Department classroom.

**Members present:**

Commissioner Thomas J. Pappas, Chairman  
Commissioner Thomas A. Maffee  
Commissioner Robert E. Valade  
Chief John Seusing  
Deputy Chief Andrew Lavoie  
Karen Smith, NPD Business Manager (not in attendance)  
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

**Others Attending the Public Session:**

Alderman Lori Wilshire  
Citizen Matthew Plante  
Captain Christopher Peach  
Sergeant James Testaverde  
Sergeant Joseph Fay  
Officer Todd Moriarty  
Officer Adam Anderson

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**PUBLIC SESSION**

Chairman Pappas called the meeting to order at 6:03 p.m.

**MINUTES:**

- September 17, 2013

**MOTION:** Chairman Pappas asked for a motion to approve the minutes from the September 17, 2013, meeting as submitted. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

**BALLISTIC SHIELDS PRESENTATION:**

Presenters: Sergeant Joseph Fay, Firearms Training Supervisor & Firearms Training Unit Officer Adam Anderson. Officer Adam Anderson gave a presentation on ballistic shields.

Out of the 24 marked cruisers in the fleet, NPD currently has 4 rifle-rated shields and 8 handgun rated-shields in patrol cruisers. All rifle-rated shields are in patrol supervisor units #2, #3, and #4. Unit #3 has two shields. Unit #1 does not have a shield and there are no plans to put one inside the vehicle. All handgun-rated shields are in the following even numbered patrol units: 6, 8, 10, 12, 16, 18, 20, and 22. There is no handgun shield within unit 14 (K9 Unit) and there is no plan to put one inside this vehicle. Unit 24 does not currently have a shield assigned to it.

The rifle shields we are looking to purchase are the Protech Assault III Tactical Shield. This shield is 16" wide by 39" tall and weighs 19 pounds. It was found that this size provides a good combination between protection and weight. This shield is the same one that is currently in the supervisor's units.

Handgun shields provide no protection from a rifle round hit. The supervisor vehicle is the only one that currently has a rifle shield. We are proposing the purchase of 19 rifle shields. The shields are NIJ (National Institute of Justice) rated and will stop a direct hit from a Winchester round. Shields can be combined to create a wall if needed. The shield has a standard carrying handle and constructed with polyethylene fibers. Although the shields are narrow, they will protect vital organs. Purchasing a wider shield could cause a problem when trying to navigate a narrow hallway or doorway. The cost per shield under the State contact is \$2,200 each with no

shipping charges and comes with a 5-year warranty. The purchase would be made through Riley's. There is no discount for a quantity purchase. If the shields are purchased directly from the vendor, the cost would be \$4,400 each. Nineteen shields would outfit our entire fleet. The handgun shield would not have stopped a subject who had a rifle at a recent callout at the Radisson.

The POP Unit and SRT could pull rifle shields from patrol cars for utilization if more protection is needed during an incident. SRT does currently carry ballistic protective blankets but not shields. Chairman Pappas suggested additional shields for the POP Unit, SRT, and Detective vehicles if funding is available. Officer Anderson stated that if there was a shield in every patrol car, it would take minimal time to get one to a scene and a detective would not be going to the call before a uniform officer, therefore, a shield would be available to a detective if needed.

It was Chairman Pappas' opinion that this purchase would be money well spent and questioned if we should purchase more than 19 shields as a week doesn't go by without a firearm being used in an incident. He wants to make sure that patrol and other officers have access to a shield if needed and to prevent shields from being shifted around. Chief Seusing will explore the exact quantity needed and report back to the Commissioners.

#### **SIMULATOR PRESENTATION:**

Presenters: Sergeant Joseph Fay & Firearms Training Unit Officer Adam Anderson. Firearms Training Officer Todd Moriarty gave a "simulator" presentation.

The current NPD simulators were purchased in 2002 and are not functioning. Upgrades/repairs to the systems are not viable as the company has gone bankrupt.

Officer Moriarty researched four simulators that are now on the market. The "TI Training Corp Simulator" is his recommended system as it is a fully functioning tool that can incorporate every tool that officers use on the street including bean bag rounds, tasers, OC spray, verbal commands, etc. The system has a vest with a stunning system and our radio system can be integrated into the simulator. This simulator has been recommended and is sponsored by "Taser". Currently, each Taser hit costs the department \$5-\$10, but we would be able to Taser train on this simulator at no cost. Six officers can go through this simulator training at one time. There are 450 different training scenarios incorporated into the simulator and 30 additional new scenarios can be added each month. The simulator has a "picture in a picture" feature that shows the actual officer while training which can be reviewed and utilized for corrective measures. NPD SOPs and NH RSAs can also be integrated into the simulator for training purposes.

TI is a privately owned company out of Golden Colorado. We have been purchasing training videos from this company for 20 years. The "TI" Simulator would cost \$61,189 which includes a trade in allowance from our old equipment. We could expect a 30-day delivery. Three days of training, including system set up training, is included with the purchase. There is 24-hour technical support and the system has a two-year warrantee. Additional warranty years cost 5% of the net cost of the system. The system would be set up at the Pine Street facility. Sergeant Fay and Officer Moriarty visited the Somerville Massachusetts Police Department to see the simulator first hand. They also visited Hudson Police Department to look at their equipment for comparison purposes.

The Virta system, which was also researched, is a 300 degree system that only carries 70 scenarios and costs \$300,000.

Chief Seusing stated that we are looking into the availability of possible grant funds or purchasing the simulator with forfeiture funds. He will keep the Commissioners informed regarding the possibility of a simulator purchase in the future.

#### **YOUTH SERVICES DIVISION – DOMESTIC VIOLENCE DIVISION RESTRUCTURE:**

Presenters: Captain Christopher Peach & Sergeant James Testaverde.

Following Captain Peach's recent transfer to the Detective Bureau, he met with his lieutenants and sergeants regarding operating more efficiently. Sergeant James Testaverde provided a memo outlining his suggestion

regarding incorporating the Domestic Violence Unit (which now is under the command of the Legal Bureau) into the Detective Bureau. Our D/V Advocate will also move to Detectives. She would continue to assist victims at the courthouse. Her role won't change – only her supervisor. By absorbing the D/V Unit into the Detective Bureau, which currently handles misdemeanor level domestic violence cases, they would be now be assigned felony level cases which are currently handed by detectives. The additional personnel will allow for an expansion of the Computer Forensic Unit from one member to two members. Also it would allow for an additional person to be assigned to check/fraud investigations. A DART team would do any misdemeanor D/V victim follow ups and would free up patrol officers. Overall, we would increase the Detective Bureau by one Sergeant who would oversee evidence, fraud, and computer forensics. We would also be increasing detectives by the four current Domestic Violence Unit members who would be reassigned.

Chief Seusing commented that this reorganization would assist with a more efficient system. Chairman Pappas commended Captain Peach and Sergeant Testaverde for their well thought out proposal. He also wants to make sure that there we continue the same coverage in domestic violence and crimes against children cases. He also likes the idea of a DART officer.

Currently many of our detectives are trained in domestic violence cases. Some additional training may be needed for others. Under this suggested reorganization, domestic violence officers will be considered essential personnel.

The School Resource Officers continue to have a presence in the schools and teach some classes. During the summer months they provide coverage in patrol to hold down overtime costs. They also assist in the evidence area when available.

Captain Peach also gave the Commissioners an update of recent robberies in the city which are under active investigation.

**BUDGET:**

Business Manager Karen Smith provided the following written report to the Commissioners. City HR is reviewing all NPD per-diem rates.

**Grants:**

- JAG Grant 2013 in the amount of \$50,193 for the purpose of overtime and equipment
- Bulletproof Vest Partnership FY2013 Grant in the amount of \$21,446 is 50% of the cost of vest (replacements and new hires).
- Department of Safety, Homeland Security Program Grant in the amount of \$102,928 for the purpose of bomb equipment.

**FY2014 Police Department Payroll Costs:**

The month of September included varied weeks of overtime paid due to the implementation and complications of the interface of Kronos and Telestaff and the Lawson payroll system. We cannot use the weekly pay in the month of September alone as corrections were completed throughout the month. Looking at the month as a whole, we have to also remove the \$13,000 paid in overtime for payment for per diem retro the last week of September, which reduces the week of 9/26 from \$33,000 to \$23,000 to better calculate an average. Collectively the month of September's four weeks averaged \$17,000, which is below the monthly appropriation of \$18,942. We still have the \$65,000 overage from the beginning of July/August to recover also. Vacant Records Technician, Secretary Detective, File Clerk, and two IT positions are vacant as of the end of September and will have an effect of the savings in October as they become filled.

**FY14 Budget Report:**

Thirteen of 52 payroll weeks have been processed (13/52 weeks) or 25% of the average appropriation. Overtime is currently expended at 33%. For comparison purposes, we were expended at 37% at this time in September last fiscal year. The payroll was expended at 24% through September in both fiscal years 2013 and 2014.

The vest order was approved at Finance on October 2 for vests to be purchased as needed based on expirations of vest and hire of new officers throughout the year – 50% is grant funded.

The new annual ammunition bids were received from three vendors. Low bidder is Eagle Point. A purchase order will be issued for delivery in 10-12 months upon approval from the Finance Committee on 10/16.

Motor Vehicles are being reviewed and a decision made with an anticipated CERF meeting request and Finance meeting request for October/November with anticipation of vehicle orders to take 6-8 weeks and wanting to receive vehicles in the December/January time-frame due to anticipating the mileage on the current vehicles being at an acceptable level ready for sale/trade.

**FY14 Revenue Report:**

The Commissioners received a copy of the revenue report.

**Overtime/Coverage Analysis**

- The coverage analysis report has been prepared through September.
- FY2014 Coverage for Excused Absences in 8 hour segments/shifts total 549 for August. The total overtime coverage in one-hour segments was 88 hours. This represents 16% of overtime coverage to total absences. Last August was 33%.
- FY2014 Coverage for Excused Absences in 8 hour segments/shifts total 510 for September. The total overtime coverage in one-hour segments was 59 hours - representing 11.5% of overtime coverage to total absences. Last September was 36%

**Strength Report**

The Commissioners received a copy of the September Strength Report.

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	179	178	178	0
Total Sworn Part-Time		1	1	0
Total Non-Sworn Members	6	6	5	1
Total Part-Time Civilians	7	6	5	1
Total Full-Time Civilian	68	62	57	5
Total Grant Civilian	1	1	1	0
<b>TOTAL:</b>	261	254	247	7

**FY2014 Overtime for Investigative Cases, Call Outs or Emergencies YTD**

The Commissioners received a copy of the above report.

**MOTION:** Chairman Pappas asked for a motion to accept the budget report and place on file. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

**ACTIVITY REPORT:**

**Verbal report by Deputy Chief Andrew Lavoie:**

Yesterday there was an armed robbery with a knife at the Shell station on Main Street in which the clerk/victim pulled out his concealed handgun. The robber left the store but it could have turned into a very dangerous situation.

An arrest was made on a warrant following a recent incident in which a male subject held a female in the woods for several hours. He was charged with multiple counts of sexual and domestic violence assaults.

Professional Standards conducted 60 oral board interviews with police recruit candidates from the last exam. Twelve people have been scheduled for secondary interviews. We also have four prospective candidates in our recruit hiring pool.

In the month of September, our one IT employee completed 208 documented work orders.

Today the mayor approved the hiring of our Records Technician I and Secretary III candidates. Final interviews will be conducted within the next week and a hiring date will be set. Professional Standards is also working on a background for a Dispatcher candidate. The IT Manager/Software Specialist position has been posted and we have received resumes and applications for that position. A job posting for the upcoming vacant Auto Mechanic position is also in process.

The 25<sup>th</sup> Citizens Academy is underway this month.

**MOTION:** Chairman Pappas asked for a motion to accept the activity report and place it on file. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

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

The Commissioners received copies of letters of appreciation from citizens and outside agencies.

**MOTION:** Chairman Pappas asked for a motion to place the letters on file. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

**RETIREMENT:**

Retirement of Auto Mechanic 2<sup>nd</sup> Class Normand Fournier effective November 1, 2013.

**MOTION:** Chairman Pappas asked for a motion to accept the retirement of Auto Mechanic 2<sup>nd</sup> Class Normand Fournier effective November 1, 2013. Upon motion by Commissioner Valade, seconded by Commissioner Maffee, motion carried.

**PUBLIC COMMENT:**

Chairman Pappas asked the members of the public if they had any comments.

Citizen Matthew Plante thanked the Chief and members of the department for doing a great job in a recent child/family abduction situation.

Alderman Wilshire positively commented on Sergeant Testaverde's proposal regarding the reorganization of the Domestic Violence Division/Detective Bureau for better efficiency.

The Footrace for The Fallen was held last week with the Nashua Police Department receiving the trophy for the First Place Team.

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**NON-PUBLIC SESSION**

**MINUTES NOT SEALED**

**TIME: 8:14 p.m.**

**PUBLIC SESSION INTO NONPUBLIC SESSION:**

**MOTION:** Chairman Pappas 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**

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. Motion carried.**

***A roll call vote was taken:***

- Chairman Pappas – yes
- Commissioner Maffee – yes
- Commissioner Valade - yes

**UAW PROFESSIONAL EMPLOYEES OF NPD COLLECTIVE BARGAINING AGREEMENT:**

The Commissioners received copies of the redlined version of the Collective Bargaining Agreement for the UAW Professional Employees of NPD outlining the negotiated changes from the previous agreement. The UAW union members have approved this agreement.

**SUMMARY OF CHANGES:**

**ARTICLE 16: INSURANCES & LONG TERM DISABILITY – MEDICAL & HEALTH INSURANCE:**

- The plan will be a comparable plan
- Effective on signing of this agreement, the city shall contribute 70% of the premium of option “a” and 80% of the premium for option “b”. Changes in co-pays & deductibles.

**ARTICLE 18: BEREAVEMENT LEAVE:**

- Add step-grandchildren

**ARTICLE 20: PERSONAL DAYS:**

- Effective July 1, 2012, 5 personal days deducted from sick time
- Approval of personal leave (language change regarding the notice period)

**ARTICLE 21: WAGES**

- 7/1/11: 0%
- 7/1/12: 0%
- 7/1/13: 1.8%
- 7/1/14: 2.5%
- Change in language regarding hiring range

**ARTICLE 23: OVERTIME & FLEX TIME**

- Exempt employees called in for emergency situations during the weekend time will receive 1 ½ x their base hourly rate.
- Exempt employees shall be eligible for per-diem

**ARTICLE 25: COMPENSATORY TIME**

- Request for use of compensatory time language change
- Maximum of 24 hours of time coming allowed

**ARTICLE 26: WORKERS COMPENSATION**

- Supplementing Worker’s Compensation payments with use of accrued leave

**ARTICLE 30: SENIORITY**

- If rehired within 12 months of resignation, the employee will regain seniority

**ARTICLE 38: DURATION OF AGREEMENT**

- July 1, 2011 – June 30, 2015

**MOTION:** Chairman Pappas asked for a motion to approve the UAW Professional Employees of NPD Collective Bargaining Agreement as outlined in the redlined version showing the negotiated changes to the agreement. The UAW members have approved this agreement. Motion by Commissioner Valade, seconded by Commissioner Maffee. All in favor, motion carried.

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**END OF NON-PUBLIC SESSION:** Chairman Pappas asked for a motion to end the non-public session and return to public session. Upon motion of Commissioner Valade, seconded by Commissioner Maffee, motion carried.

**RETURNED TO PUBLIC SESSION: 8:22 p.m.**

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**TENTATIVE DATE OF NEXT MEETING:**

The next meeting is tentatively scheduled for Monday, November 4, 2013.

**ADJOURNMENT**

**MOTION:** Chairman Pappas asked for a motion to end the public session and adjourn the meeting. Upon motion of Commissioner Valade, seconded by Commissioner Maffee, motion carried.

**Time: 8:22 p.m.**

Respectfully submitted,

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Commissioner Thomas A. Maffee, Clerk