

December 17, 2018

The Nashua Police Commission held a public meeting on Monday, December 17, 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
 Two public citizens

PUBLIC SESSION

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

APPROVAL OF MINUTES:

- November 19, 2019

MOTION: Commissioner Dahl made a motion to approve the minutes of the November 19, 2018, meeting. Motion seconded by Commissioner Plante. All in favor.

BUDGET:

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

FY2019 Expenditure Report:

- The Commission received a copy of the November 30, 2018, Expenditure Report. The Expenditure Report includes 22 of 52 weeks of payroll which is 42% of the annual budget.
- Funding the bottom line reduction in account 90120 Mayoral Budget Adjustments in the amount of (\$94,935): The gasoline prices are locked in until July 1st so Ms. Smith can project the unleaded gasoline account to have a balance of a minimum \$40,000 to be used to offset a portion of the \$95,000 budget reduction. She will discuss projections further at the six month point.

FY2019 Revenue Report:

The Commission received a copy of the November 30, 2018 Revenue Report.

FY2019 Weekly Payroll Overtime:

The overtime averaged \$37,097 per week during the month of November. The target amount is \$28,000 per week.

FY2019 Overtime Tracking by Specific Case or Significant Occurrence:

Overtime during the month of November included Criminal Mischief, DV Simple Assault, Reckless Operation/Accident, AFSA, Simple Assault, Diving, Nashua Holliday Stroll, Honor Guard, Miscellaneous Drug, NPD Veterans Day Parade, Recruiting, and Training for Dive, K9, Use of Force, and SWAT.

Sworn Functioning Strength Analysis:

The functional strength at the end of November includes ten vacant sworn positions, zero officers in field training, and one position that required overtime backfill due to extended leave. Eleven positions are unavailable and not part of the Functioning Strength for month end November.

Strength Report:

The Commission received a copy of the November 30, 2018 Strength Report.

| | Commission Authorized | Budgeted | Positions Filled | Vacant Budgeted Positions |
|---------------------------|-----------------------|------------|------------------|---------------------------|
| Total Sworn Full-Time | 186 | 179 | 169 | 10 |
| Total Non-Sworn Members | 1 | 1 | 1 | 0 |
| Total Part-Time Civilians | 3 | 4 | 3 | 1 |
| Total Full-Time Civilians | 71 | 62 | 62 | 0 |
| Total Grant Civilians | 1 | 1 | 1 | 0 |
| TOTAL: | 262 | 247 | 236 | 11 |

Invitation for Bid: Preview Informational

IFB includes the replacement of 47 casement windows for the original section of the Police Department building (39 years old). The mandatory pre-bid at NPD was held on December 6, 2018.

Firing Range:

A letter from Chief Lavoie was forwarded to Mayor Donchess regarding the need for decontamination of the Nashua Police Department shooting range and associated facilities due to recent lead testing. The total cost of the project will be approximately \$35,000 which includes the range cleaning and the replacement of flooring and tiles in the facility. NPD is requesting approval for an alternative emergency source of funding.

MOTION: Commissioner Tollner 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:***

On November 4, 2018, officers responded to the area of Bridge Street at Sanders Street for a report of a motor vehicle collision with injury. Upon arrival, the single involved vehicle was discovered in the roadway. It had been sheared in half after striking a telephone pole. All three occupants of the vehicle had been ejected from the vehicle during the collision. Two of the occupants were declared to be deceased at the scene. The third occupant and backseat passenger was transported to the hospital and later med-flighted to Boston. The Accident Reconstruction Unit, CID, and the Medical Examiner's Office responded to the scene. The accident is still under investigation at this time. There was also another accident on Kinsley Street that is also under investigation.

We are seeing a downward trend in opioid-related deaths. There were three opioid related deaths in Nashua last week. Hudson also had two deaths. It should be noted that there is no link between the Nashua and Hudson deaths. Nashua is partnered with Hudson regarding Granite Shield because of the funding share.

Chie Lavoie stated that it appears that all statewide overdose deaths this year were all from fentanyl – not heroin. He went on to explain that there is no heroin in “heroin” as it is all fentanyl, which is a synthetic heroin. The majority of fentanyl is imported from the Mexican cartels. The local distributors then take the fentanyl and mix it with other cutting agents to dilute it (usually in a blender) and then package it into smaller batches for street sale. It's important to keep in mind that because of the way it is mixed, the batches are not mixed “consistently” with some batches having more fentanyl than other batches. The buyer is unaware of how much fentanyl is mixed in his batch. A distributor can make ten kilos out of one kilo of pure fentanyl when adding cutting agents. Chief Lavoie also stated that we are seeing an increase in Meth. Because of the issuance of Narcan, we may not be finding out about many other overdoses. The key is saving lives and there is no way to quantify how many overdoses were reversed with Narcan administration and did not have medical intervention.

Calls for service YTD 2017 to YTD 2018 increased by 2,519 calls. It should also be noted that we are down 10 officers.

Deputy Carignan noted that the NPD Dive/Recovery Team recently located key evidence for a homicide case in Haverhill, Massachusetts. NPD Dive assists other agencies when requested as we have a chain of custody for evidence items as well. The Dive Team does great work especially when searching the icy rivers of NH. NH Fish & Game and Manchester Fire also has a Dive Unit.

Professional Standards Bureau:

The next police recruit test is scheduled for January. The Chief/Deputy Chief are working with Finance Manager Karen Smith regarding being mindful of extra costs for hiring a Certified-II officer. Professional Standards is also working on transitioning officers with their new firearms and Use of Force training. Training is finalizing the Active Shooter training at the schools.

Services Bureau:

SMRT came in assess the NPD HVAC system and will be coming back with their recommendations. The main system is 40 years old and the newer system is 20 years old. They will also coordinate with the firearms range area de-contamination contractors to make sure that both systems tie into each other.

Commissioner Tollner commended PAL for the monthly attendance at PAL. The Tactical Christmas, which provides meals and gifts for families in need, is scheduled for this week. NPD in conjunction with PAL also conducted a gift card drive for some of the older youths which raised approximately \$2,000 in cash and gift cards thus far. Volunteers also assisted PAL for a shopping night for needed gifts. The Patrolman's Union and the Gate City Striders organized the “Shop with a Cop” event in which officers take children out shopping for their family members. DCYF and other organizations provide referrals for recipients. The POP Unit and Traffic Unit also assisted with providing Christmas trees to needy families.

Honor Guard:

Commissioner Dahl wanted to thank the NPD Honor Guard for their presence during the funeral services of long-time PAL boxing coach, Frank Chimento, who passed away in November.

Dive Team/Mutual Aide:

Alderman Jette asked if NPD is reimbursed for Dive Team services it provides to other agencies. He is asking because he needs to understand how things work so he can answer taxpayer questions as to why we are paying for the officers, purchasing the equipment, and taxpayers are funding the bill for callouts.

Chief Lavoie explained that providing services to other agencies falls under our Mutual Aid agreements. He stated that we are obligated to provide various services to other agencies and never wants to put other offers in danger because we failed to provide services when requested. For example, other agencies use our firearms range which was built with federal funds so we always share our facility. Nashua is one of the larger agencies and has a large amount of talent to offer when needed. Crime doesn't stop at borders. We are a big department with a lot of skill and are always willing to help others out when needed. Mutual Aide also provides a great opportunity for Nashua officers to sharpen their own skills and use this as a training opportunity. There is no training like the "real thing" and some situations happen quickly.

Deputy Carignan added, for example, our Computer Forensics Unit has specialized equipment that was provided free of charge through federal sources and training has also been provided free of charge. It is our obligation to assist other agencies who do not have the specialized training and equipment.

When the President of the United States comes to town, we provide mutual aid protection along with the Secret Service. They do not reimburse us for our service. It is our duty to provide protection when the President is in our City.

MOTION: Commissioner Plante 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 Hollis NH Police Department (Assistance with a K9 search)
- Citizen (Going above and beyond regarding a lost dog)
- Greater Nashua Mental Health (Active Shooter presentation)
- Toastmasters (Open house keynote speaker)

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

SWORN HIRES:

For the record, the following police candidates were sworn in as Police Officers:

Police Officers Sworn In on December 10, 2018:

- Brandon C. Brown - 1st Year Special Officer Certified II
- Patrick J. Doherty – 1st Year Special Officer Certified
- Brendan M. Whalen – 1st Year Special Officer Certified

Police Officer Sworn in on December 11, 2018

- Alex M. Mann – 1st Year Special Officer

Police Officer Sworn in on December 18, 2019

- Kyle D. Riddle – 1st Year Special Officer

RETIREMENTS:

- Deputy Chief Denis Linehan: Retirement effective January 2, 2018
- Communications Technician I Mavis Roy: Retirement effective November 30, 2018

MOTION: Commissioner Tollner made a motion to accept the retirement of Deputy Chief Denis Linehan effective January 2, 2018. The motion was seconded by Commissioner Plante. All in favor.

MOTION: Commissioner Plante made a motion to accept the retirement of CT Mavis Roy effective November 30, 2018. The motion was seconded by Commissioner Dahl. All in favor.

AWARDS:

For the Record

Commendation Bar for Meritorious Service: (1988 Homicide of Charlene Ranstrom & Brenda Warner)

- Retired Lieutenant Francis Bourgeois
- Sergeant Daniel Mederos
- Sergeant Robert Macleod
- Sergeant Patrick Hannon

Granite State Children's Alliance Hands of Hope Award 2018:

- Detective Frank Lombardi

COLLECTIVE BARGAINING AGREEMENT:

UFPO Local 645 Professional Employees of Nashua for July 1, 2018 – June 30, 2022:

The Police Commissioners received a copy of the Proposed Summary of Amendments to the UFPO Collective Bargaining Agreement. The UFPO union is formerly the Nashua Police UAW union. Once approved by the Police Commissioners, the collective bargaining agreement will be forwarded to the city for final aldermanic approval

MOTION: Commissioner Tollner made a motion to approve the Summary of Amendments to the UFPO Collective Bargaining Agreement effective July 1, 2018 – June 30, 2022. The motion was seconded by Commissioner Plane. All in favor.

OTHER BUSINESS:

Mayor Donchess has scheduled the FY2020 budget meeting with the Police Department on February 14, 2018.

The new Bearcat vehicle is ready for inspection and pickup. The vehicle is currently in Pittsfield, Massachusetts.

Commissioner Tollner is researching the possibility of transferring some drug court cases from Nashua (which currently has a waiting list) to Manchester (where there is no waiting list).

Commissioner Tollner relayed his appreciation and thanked Alderman Jette for his support and affirmative vote on the City Resolution R-18-066-amended.

PUBLIC COMMENT:

Citizen Deneault commented on Deputy Linehan's upcoming retirement and asked Deputy Carignan if he is doing "double duty". Deputy Carignan informed him that Deputy Linehan's official retirement date is January 2, 2019, so everyone is pitching in with the workload.

NON-PUBLIC SESSION

MINUTES NOT SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 6:58 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 Plante.

A roll call vote was taken:

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

Recommendation for Promotions: (Due to the retirement of Deputy Chief Linehan effective 1/7/19)

- **Promotion to Deputy Chief of Uniform Operations:**
 - Captain James Testaverde
- **Promotion to Captain:**
 - Lieutenant Jonathan Lehto
- **Promotion to Lieutenant:**
 - Sergeant Daniel Mederos
- **Promotion to Sergeant:**
 - Master Patrolman Christopher Caron

Chief Lavoie presented his recommendations for promotions as listed above. The Police Commissioners received a copy of each candidate's employment history for their review.

MOTION: Commissioner Tollner made a motion to approve Chief Lavoie's recommendation to promote ***Captain James Testaverde to the rank of Deputy Chief of Uniform Operations*** effective January 7, 2018. The

promotional ceremony will be scheduled for January 7, 2019, at 10:00 a.m. The motion was seconded by Commissioner Dahl. All in favor.

MOTION: Commissioner Plante made a motion to approve Chief Lavoie's recommendation to promote **Lieutenant Jonathan Lehto to the rank of Captain** effective January 7, 2019. The promotional ceremony will be scheduled for January 7, 2018, at 10:00 a.m. The motion was seconded by Commissioner Tollner. All in favor.

MOTION: Commissioner Dahl made a motion to approve Chief Lavoie's recommendation to promote **Sergeant Daniel Mederos to the rank of Lieutenant** effective January 7, 2019. The promotional ceremony will be scheduled for January 7, 2018, at 10:00 a.m. The motion was seconded by Commissioner Tollner. All in favor.

MOTION: Commissioner Plante made a motion to approve Chief Lavoie's recommendation to promote **Master Patrolman Christopher Caron to the rank of Sergeant** effective January 7, 2019. The promotional ceremony will be scheduled for January 7, 2018, at 10:00 a.m. The motion was seconded by Commissioner Tollner. All in favor.

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 Dahl.

RETURN TO PUBLIC SESSION: 7:18 p.m.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- **Tuesday**, January 22, 2019, at 6:00 p.m.

ADJOURNMENT

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

Time: 7:18 p.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk