

September 17, 2018

The Nashua Police Commission held a public meeting on Monday, September 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
Aldermanic Liaison Ernest Jette (not in attendance)
Two public citizens

PUBLIC SESSION

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

REAPPOINTMENT/CONFIRMATION OF POLICE COMMISSIONER NICHOLAS DAHL:

For the Record:

On August 22, 2018, The Executive Council Confirmed / Reappointed Police Commissioner Nicholas H. Dahl for an additional 3-year term, from September 1, 2018, - September 1, 2021.

MOTION: Commissioner Tollner made a motion to approve the Executive Council's confirmation/reappointment of Commissioner Nicholas H. Dahl for an additional 3-year term from September 1, 2018, through September 1, 2021. The motion was seconded by Commissioner Plante. All in favor. Congratulations were extended.

APPROVAL OF MINUTES:

- August 20, 2018
- September 4, 2018

MOTION: Commissioner Tollner made a motion to approve the minutes of the August 20, 2018, and the September 7, 2018, meetings. Motion seconded by Commissioner Dahl. All in favor.

BUDGET:

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

Resolution / Grant:

The 2017 Justice Assistance Grant in the amount of \$43,456 was received from the US Department of Justice for the purpose of purchasing equipment, training, and funding overtime. A representative from NPD will attend the BOA meeting to answer any questions when this item is on the agenda.

FY2019 Department Detail Expenditure Report

The Commission received a copy of the August 30, 2018, Expenditure Report. The Expenditure Report includes 9 of 52 weeks of payroll which is at 17% of the annual budget. The current payroll account requires a transfer from the Overtime Expendable Trust Fund account for two separate incidents in July for overtime related to a shooting and an ongoing homicide investigation. The current estimate is at \$97,865 collectively through September 8th. For demonstration purposes, if we remove the July and August expenses from the calculation, the percentage would be 16.9% for month end August. Karen Smith will be preparing the paperwork for the transfer of funds.

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 and monitor the progression of the recruitment plans in the coming months. 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 August 30, 2018, Revenue Report.

FY2019 Weekly Payroll Overtime:

The overtime averaged \$39,330 per week during the month of August. Ms. Smith would like to see the average weekly overtime trend down to \$28,000 per week.

FY2019 Overtime Tracking by Specific Case or Significant Occurrence:

Overtime during the month of August included a homicide investigation, kidnapping/1st degree assault, AFSA, DV criminal assault, controlled drug/endangering welfare of child, controlled drug/ possession/receiving stolen property, various training overtime, and miscellaneous unclassified overtime.

Commissioner Tollner requested that Karen keep track of any expenses related to other city events such as the Pride Parade, etc. He suggested scheduling a meeting with the Mayor in January regarding the state of our overtime costs. Chief Lavoie suggested inquiring into possible reimbursement from a city fund that was recently started with donated money to offset costs related to city events.

Sworn Functioning Strength Analysis:

The functional strength includes eight vacant sworn positions, three officers in field training, and two positions that have required overtime backfill due to extended leave. Thirteen positions are unavailable and are not part of the Functioning Strength.

Strength Report:

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

| | Commission Authorized | Budgeted | Positions Filled | Vacant Budgeted Positions |
|---------------------------|-----------------------|----------|------------------|---------------------------|
| Total Sworn Full-Time | 186 | 179 | 171 | 8 |
| Total Non-Sworn Members | 1 | 1 | 1 | 0 |
| Total Part-Time Civilians | 4 | 4 | 4 | 0 |
| Total Full-Time Civilians | 70 | 62 | 60 | 2 |
| Total Grant Civilians | 1 | 1 | 1 | 0 |
| | | | | |
| TOTAL: | 262 | 247 | 237 | 10 |

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

ACTIVITY REPORT:

Deputy Chief Michael Carignan reported the following:

On August 28, 2018, officers received a BOLO from Amherst PD in regards to burglary suspects that could possibly be returning to Nashua from Amherst, NH. Officers located the suspect’s vehicle at 242 Broad Street. There were two males within the vehicle in question. As officers conducted a felony stop on the vehicle, the driver began to rev the engine and yell just shoot me. The officers were in fear that their vehicle was going to be rammed because it was parked behind the suspect vehicle. The driver was subsequently arrested for criminal threatening. Officers also located 5 stolen rings on the suspect. Amherst PD responded to the scene and the vehicle was towed back to Amherst PD to further the investigation. There were no injuries.

There has been a downward trend in cruiser accidents. Year to date, there has been 10 cruiser accidents (2 officer involved) compared to 18 last year.

Sergeant Adalberto Garcia was promoted to Sergeant this morning. We should see a drop in overtime now that this sergeant position is filled. In addition, one other sergeant has returned from leave, and one other sergeant will be returning from leave in a few weeks. Another sergeant volunteered to work some midnight shifts to assist with decreasing backfill overtime.

Opioid-Related Overdose Reports/Deaths: (June 2018)

- 21 overdose reports
- 2 deaths
- 7 overdoses pending toxicology

Opioid-Related Overdose Reports/Deaths: (July 2018)

- 28 overdose reports
- 4 overdose deaths

Year to date burglaries are trending down with only 65 for the year (115 last year).

Legal Bureau:

Professional Standards is in the process of backgrounding two applicants for the vacant full-time attorney positions.

Professional Standards Bureau:

A police recruit test was held last week.

- 145 candidates signed up for the test
- 98 candidates showed up for the test
- 53 candidates failed the test
- 45 candidates will be scheduled for the oral board process

Thus far, seven candidates (2 certified) are moving forward with secondary interviews. In addition, 18 candidates are scheduled for their first interview. Low candidate turnout is a nationwide problem. NPD is currently down 8 officers, and the “functioning strength” is down 13 officers.

Three firearms training officers, who work in the range, have been tested for lead. Two came back with higher than normal lead levels. An independent company has been hired to evaluate lead levels testing in the range, including air quality testing. We are awaiting their recommendations regarding range cleaning options. It should be noted that the range is also tied into the HVAC system (which is in need of replacement). Risk Management is aware of the situation.

Chief Lavoie highlighted a recent incident in which officers were called to a suicidal subject with a knife call. The subject had a knife and began to plunge the knife into his chest. Officers deployed a non-lethal bean bag to the subject at which time stopped the subject from harming himself. Situations such as this one take place every day and due to excellent training and supervision, the officers prevented the individual from harming himself.

MOTION: Commissioner Tollner made a motion to accept the activity report. Motion seconded by Commissioner Plante. 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:

- St. Aloysius of Gonzaga Parish: (Latino American Festival)
- Farwell Funeral Service: (Assistance with large funeral service)
- Citizen Vangie Collins: (NPD officer assisting physically challenged male)

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

RESIGNATION:

Part-Time Police Attorney Steven J. Ranfos: Effective September 7, 2018.

MOTION: Commissioner Dahl made a motion to accept the resignation of Part-Time Police Attorney Steven J. Ranfos effective September 7, 2018. The motion was seconded by Commissioner Plante. All in favor.

AWARDS:

(For the Record)

Letter of Commendation (18-14192 Two suicidal males).

- Sergeant Robert MacLeod
- Sergeant Marc Anderson
- Officer Julia Banks
- Officer Lauren Collins
- Officer John Colangelo

OTHER BUSINESS:

HVAC System:

Chief Lavoie will be meeting with the Mayor to discuss the HVAC system problems.

NPD Chaplain:

Commissioner Tollner and Deputy Chief Linehan previously met with Chaplain Steven Robert Closs, DD, MSBS, (retired NPD Captain) regarding our vacant NPD Chaplain position (replacing Chaplain Richard Kelley). This is a non-paying position.

MOTION: Commissioner Tollner made a motion to approve Chaplain Closs to fill the vacant NPD Chaplain position provided he pass a background investigation, and provided he obtain his certification through our CIMT Unit. The motion was seconded by Commissioner Plante. All in favor.

Sidebar Agreement (UAW):

- ***Article 12 Vacations:***

This sidebar allows the department to consider offering credit for previous experience regarding calculating yearly vacation time at the time of hire. The UAW Collective Bargaining Agreement (now the United Federation of Police Officers – Professional Employees) is currently in the negotiation process. This sidebar will allow the department to offer additional vacation time to attract qualified police attorneys. There are currently two police attorney vacant positions.

MOTION: Commissioner Plante made a motion to approve the sidebar. Motion was seconded by Commissioner Dahl. All in favor.

PUBLIC COMMENT:

Citizen Steve Przystac:

Mr. Przystac asked if air sample testing and surface testing are being done regarding high lead levels in the range. Both of those tests are being completed and will be analyzed.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, October 15, 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: 6:43 p.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk