

August 21, 2017

The Nashua Police Commission held a public meeting on Monday, August 21, 2017, 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
Karen Smith, NPD Business Manager
Elaine Marcum, Administrative Project Specialist (acting as recording secretary)

Others Attending the Public Session:

Alderman Liaison Lori Wilshire
Citizen George Denault

PUBLIC SESSION

Commissioner Tollner called the meeting to order at 6:10 p.m.

REAPPOINTMENT OF POLICE COMMISSIONER:

For the record, Commissioner Matthew Plante was reappointed as a Nashua Police Commissioner. His reappointment was confirmed by the NH Executive Council for an additional three-year term, ending on September 1, 2020.

MINUTES:

- June 19, 2017

MOTION: Commissioner Dahl made a motion to approve the minutes of the June 19, 2017, meeting. Motion seconded by Commissioner Plante. All in favor.

BUDGET:

Business Manager Karen Smith provided the Commissioners with the following reports for their review. Ms. Smith discussed the following:

Resolution: R17-121 FY2018 Escrows:

Pending Resolution for the 2018 Escrows is scheduled for the 8/28/17 Budget Review Committee meeting. Police has two items, totaling \$65,000, to fund the replacement of guns and holsters and to fund gas masks for the Mobile Field Force Unit.

Capital Equipment Reserve Fund:

- The CERF report was provided showing the Bearcat vehicle request has been deferred for one year.
- NPD will be looking to replace the POP vehicle (2009 Impala) soon due to a recent accident in which the vehicle was totaled.
- The balance of the cruisers will be purchased under the Greater Boston Contract which expires September 30. There will be a new contract starting October 1, but that will come with a price increase. Therefore, we are working up the request now in order to get it ready for Finance in early September. This will give us time to get the vehicles replaced per the 100,000 mileage schedule for spring. Fleet Maintenance has been monitoring the Ford carbon monoxide problem. Ford is working on correcting the problem. Fleet continues to check the vehicles and has not seen any problems at this time.

Grant:

State of New Hampshire, Department of Safety, Homeland Security and Emergency Management funding received in the amount of \$11,249 for the purpose of attending the Hostage Rescue Team training in Quantico, Virginia. In addition to grant funding, the officers have been doing fundraising to cover any additional expenses.

FY2018 Expenditure Report:

The Expenditure Report includes 4 of the 52 weeks of payroll which is at 7.7% of the annual budget.

FY2018 Revenue Report:

The Commissioners received a copy of the July 31, 2017, Revenue Report.

FY2018 Weekly Payroll Overtime:

The overtime averaged \$31,000 per week during the month of July due to primarily coverage and investigative overtime.

FY2018 Overtime Tracking by Specific Case or Significant Occurrence:

The Commissioners received a copy of the FY2018 Monthly Overtime Tracking by Specific Case Number or Significant Occurrence report showing the overtime cost for recent major cases and/or significant occurrences. During July, the significant overtime was attributed to an accident with injury, a reckless conduct incident, a

disorderly conduct incident, Dive training, K9 training, Use of Force training, and the July 4th activities for a total of \$26,502.

Payroll Cost Analysis and Forecast:

Karen Smith updated CFO John Griffin's form "Police Department Payroll Cost FY2018". Ms. Smith is basing this year on a weekly overtime budget of \$26,000 and an average weekly payroll of \$309,000 - \$324,600 which includes attrition, in-grade pay, and anticipated new recruits. We can use this for to forecast breaking even on the payroll accounts given any unforeseen circumstances such as major investigation.

Functional Strength:

The Commissioners received a copy of the July 31, 2017, Sworn Functional Strength Analysis. The Functional Strength as of July 31 takes into account seven sworn vacancies plus two officers attending the academy for a total of nine. This Functional Strength will change in August due to the hiring of four officers who will be attending the academy, a sworn resignation, and two officers in the Field Training Program.

Strength Report:

The Commissioners received a copy of the July 31, 2017, Strength Report.

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	186	179	172	7
Total Non-Sworn Members	6	6	5	1
Total Part-Time Civilians	6	5	4	1
Total Full-Time Civilians	69	62	61	1
Total Grant Civilians	1	1	1	0
TOTAL:	268	253	243	10

Expendable Trust Funds, Special Revenue Revolving Funds, and Grant Reports:

The Commissioners received a copy of the following reports:

Expendable Trust Funds:

- 7080 Police Overtime ETF
- 7081 Police General Fund Purposes ETF (New Pistol Money)
- 7507 Police Bomb Spec Unit ETF
- 7508 Police K9 Unit ETF
- 7509 Police School Programs ETF SWAT Quantico-current balance
- 7510 Police-Rad System Program ETF
- 7511 Police-Law Enforcement Programs ETF (General)

Special Revenue Revolving Funds:

- 4020 Police Drug Enforcement Fund
- 4022 US Treasury Forfeiture Fund
- 4025 DOJ Drug Forfeiture Fund

It should be noted that 55 replacement vests will be purchased. Replacement vests are on a rotational schedule and covered through a contract.

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

ACTIVITY REPORT:

Deputy Chief Denis Linehan reported the following:

On July 14, 2017, officers responded to the area of Walnut St for the report of shots fired. Upon arrival, the victim was located with non-life threatening, non-serious injuries from fragments that hit and ricocheted off the pavement.

On July 2, 2016, officers responded to the Nashua Airport for a report of a plane crash. Upon arrival it was determined that a Cessna 180 had crashed during landing. The pilot was the single occupant of the plane and no injuries were sustained. The FAA, Airport Authority, and NH State Police were all notified. It was determined that there was a probable landing gear failure.

On July 3, 2017, NPD received a report of a bear in the area of Amherst Street and Beacon Street. The bear was located near Holman Stadium where officers observed a large group of people in the area. Fish and Game was unable to respond to assist forcing officers to shoot the bear to protect the public.

On July 21, 2017, officers responded to the Pheasant Lane Mall for the report of a possible abduction. The investigation determined that it was just a male and female fooling around and it was not an abduction and turned out to be nothing.

The Hazardous Device Unit was called to assist Hudson and Merrimack NH Police Departments. In Hudson, a suspicious item was found on a lawn and later found not to be a hazard. In Merrimack, a grenade was located and determined to be inert.

There have been several recent criminal threatening incidents with a knife. These incidents are taken very seriously by Nashua Police Officers. Commissioner Dahl expressed his appreciation to Officer Lewis regarding a criminal threatening incident on Caldwell Street. A male was located outside his residence and initially refused to drop the knife after numerous requests by the officers. Officer Lewis was able to negotiate with the male who finally dropped the knife.

Commissioner Dahl also expressed his appreciation to Officer Abram for her quick first-aid assistance to a male who sustained a very serious accidental injury at Gate City Fence in May.

Commissioner Tollner asked about the upcoming start of the new school year and if NPD will be doing anything special prior to the start up. Deputy Carignan stated that there will be a police presence during the school start up and we have discussed with the Superintendent any new changes affecting the schools and what to expect during any incidents that arise.

Deputy Chief Michael Carignan reported the following:

Drug overdoses deaths are up by five over last year. He also noted that overdoses were very high last year in September and October.

The Granite Hammer grant has been submitted. We are conducting some operations on straight time and we will be running at full speed sometime in October.

A police recruit exam was held on Saturday. A total of 110 applicants tested. Oral board interviews are scheduled for the 52 candidates who passed both the written and the physical test.

Building maintenance personnel have been working on various building projects including cleaning up the flower bed in the front of the building. The electrical panel project will begin in the near future.

The owner of Dunkin Donuts on Canal/Main Street recently donated \$1,000 for the purpose of painting the police substation at Railroad Square.

Deputy Carignan was the top fundraiser in the recent Over the Edge event – raising \$8,000 for PAL. Officer Debisz and Adamson did a great job with the PAL boxing event/fundraiser.

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

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

HIRING:

For the Record:

The following police recruit candidates were sworn in as a First Year Special Officer on August 15, 2017:

- Colin S. Flanagan
- Brian J. Howe
- Andrew J. Kibarian
- Andrew S. Othot

RETIREMENTS / RESIGNATION:

Resignations:

- Patrolman Ryan J. Malo: Resignation effective July 29, 2017
- Patrolman Brandon J. Cali: Resignation effective August 13, 2017
- Communications Technician McKenzie Garlick: Resignation effective July 6, 2017

MOTION: Commissioner Tollner made a motion to accept the resignations as listed above. The motion was seconded by Commissioner Dahl. All in favor.

Retirements:

- Paralegal Michelle Barton: Retirement effective August 1, 2017
- Custodian III Paul Branchi: Retirement effective August 1, 2017

MOTION: Commissioner Plante made a motion to accept the retirements as listed above. The motion was seconded by Commissioner Dahl. All in favor.

PROPOSED REVISION TO THE NEPOTISM POLICY:

The Police Commissioners received a copy of the suggested/recommended revisions to the Nashua Police Department “nepotism policy”.

Chief Lavoie gave the Commissioners an overview of his recommendations regarding policy revisions. He stated that it is getting more difficult to find qualified police candidates and he is confident that by changing our

outdated nepotism policy, it will allow qualified candidates to apply and eventually be hired. A change in the policy will be a positive recruiting tool and will help in opening up our applicant pool. The change will not affect our accreditation standards and our hiring standards will remain high and professional. Most police departments nationally do not have a strict policy like our current policy. Many of our officers have outstanding siblings who may be interested in a career at NPD. The policy change will not prohibit family members from working together at NPD; however, family members will not supervise each other. If approved by the Police Commissioners, the policy will take effect immediately.

Alderman Wilshire asked about the NPD tattoo policy and if the Chief would consider lowering the current “no visible tattoo” policy. Chief Lavoie stated that he has no plans to loosening the tattoo policy in any way as it is his personal opinion that officers should project a sense of professionalism while serving as a Nashua Police officer.

MOTION: Commissioner Tollner made a motion to approve the suggested recommendations to the Nashua Police Department “nepotism policy”, effective immediately. The motion was seconded by Commissioner Plante. All in favor.

AWARDS:

For the Record.

Commendation Bar for Lifesaving (Overdose on Pine Street; CPR Resuscitation)

- Officer Ross Desmet

Commendation Bar for Lifesaving (Attempted suicide on the Veterans Bridge; Physically grabbed the person on the railing)

- Officer Ryan MacDonald
- Officer Thomas Durden

OTHER BUSINESS:

Channel 9 will begin filming a Nashua Police officer’s close experience with the opioid crisis and how this crisis touched his family. The film will air at a later date.

PUBLIC COMMENT:

Mr. George Denault questioned the safety issues concerning recent carbon monoxide problems with Ford vehicles and whether it is due to a defective part or a design problem.

Nashua Police Department Fleet Maintenance personnel have been in contact with Ford and have been monitoring/testing the NPD fleet to make certain there are no issues with any NPD vehicle. Ford is working to correct the problem which may have something to do with the air-conditioning system. In the meantime, officers have been kept informed about the problem and reminded to keep the window cracked and not to put the A/C system at maximum level. Fleet has not found any issues in any NPD vehicle thus far.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 7:10 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:

RSA 91-A:3, II (b) HIRING. “The hiring of any person as a public employee”

Motion by Commissioner Plante, seconded by Commissioner Dahl.

A roll call vote was taken:

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

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 Plante.

RETURN TO PUBLIC SESSION: 7:12 p.m.

MOTION TO SEAL RSA 91-A:3 III:

Minutes of proceedings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. ...”

- “divulgence of the information likely would affect adversely the reputation of any person other than a member of the body or agency itself,
- or render the proposed action ineffective,
- or pertain to terrorism...”

Commissioner Tollner asked for a motion to seal the following minutes of the Non-Public session.

Item #1: RSA 91-A:3, II (b) HIRING. “The hiring of any person as a public employee”

MOTION: Motion by Commissioner Dahl, seconded by Commissioner Plane, to seal the minutes of the Non-Public Session (**Item #1**) as authorized above.

Commissioner Tollner – yes; Commissioner Dahl – yes; Commissioner Plante – yes. Minutes sealed.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, September 18, 2017, (subject to change due to scheduling)

ADJOURNMENT

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

Time: 7:13 p.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk