

November 20, 2017

The Nashua Police Commission held a public meeting on Monday, November 20, 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 (not in attendance)
Citizen George Denault

PUBLIC SESSION

Commissioner Tollner called the meeting to order at 7:32 a.m.

MINUTES:

- October 23, 2017

MOTION: Commissioner Plante made a motion to approve the minutes of the October 23, 2017, meeting. Motion seconded by Commissioner Dahl. All in favor.

BUDGET:

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

FY2018 Approved Escrows:

The Board of Aldermen approved the FY2018 Escrows – Account 150-1010; NPD received approval of \$55,000 for the cost of replacement guns and holsters and \$10,000 for the cost of gas masks for the Mobile Field Force Unit.

Grants:

Grant funds approved in the amount of \$2,822 from the State of NH, Department of Safety, Homeland Security and Emergency Management, for members to attend the National Tactical Officers Associations Conference in Phoenix, AZ.

Grant funds approved in the amount of \$261,767 from the State of NH, Department of Safety, for the investigation and apprehension of individuals or organizations that are involved in opioid-related drug use and trafficking through the period of June 30, 2018.

Grant funds approved in the amount of \$16,296 from the US Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership (BVP) Grant FY2017 for the use in purchase of bulletproof vests, 50% matching funds required.

Grant funds approved in the amount of \$26,032 from the State of NH, Department of Safety, Highway Safety Agency, for the purpose of funding overtime and related benefits for traffic enforcement activities. In-kind matching funds in the amount of \$6,508 are required.

Grant funds approved in the amount of \$25,200 from the State of NH, Department of Safety, Highway Safety Agency, for the purpose of funding overtime and related benefits for DWI enforcement activities. In-kind matching funds in the amount of \$6,300 are required.

Grant funds approved in the amount of \$58,000 from the State of NH, Department of Justice, Violence Against Women program, for the purpose of law enforcement programs for the period of 1/1/2018 – 12/31/2018 with matching funds in the amount of \$69,318 from contingency account 194-70120.

FY2018 Expenditure Report:

The Expenditure Report includes 17 of 52 weeks of payroll which is 32.7% of the annual budget.

FY2018 Revenue Report:

The Commission received a copy of the October 31, 2017 Revenue Report.

FY2018 Weekly Payroll Overtime:

The overtime averaged \$28,845 per week during the month of October primarily due to coverage and investigative overtime.

FY2018 Overtime Tracking by Specific Case or Significant Occurrence:

The Commission 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 October, the significant overtime was attributed to a computer pornography investigation, child sex abuse images, burglary, AFSA, sudden death (suicide), accidental fatality, criminal threatening, sudden death (accident), DV stalking/suicide, barricaded subject, and various training.

Commissioner Tollner questioned if the breakdown of the Bearcat vehicle during the recent standoff increased our overtime costs attributed to that incident. Deputy Linehan stated that the breakdown set the team back approximately one hour (multiplied by approximately 25 team members). In addition, Manchester PD was called in on mutual aid so they incurred costs. Chief Lavoie was focused on the safety issue caused by the vehicle breakdown more than the additional overtime costs.

Payroll Cost Analysis and Forecast:

Karen Smith updated CFO John Griffin's form "Police Department Payroll Cost FY2018". Basing the year on a weekly overtime of \$30,000 and an average weekly payroll of \$313,000 – \$320,000 including attrition, in-grade pay, and anticipated new recruits, we can use this form to forecast the year-end balance on the payroll accounts given any unforeseen circumstances such as major investigations. The current report lists a forecasted negative balance until we request a transfer from the overtime account for the recent SWAT activation in the amount of \$14,187.

Strength Report:

The Commission received a copy of the October 31, 2017 Strength Report.

	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	186	179	174	5
Total Non-Sworn Members	6	6	4	2
Total Part-Time Civilians	5	5	4	1
Total Full-Time Civilians	70	62	61	1
Total Grant Civilians	1	1	1	0
TOTAL:	268	253	244	9

Expendable Trust Funds, Special Revenue Revolving Funds and Grant 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
- 4030 Police Special Detail Funds

Grants:

- 50.1001.15.01 JAG15 Justice Assistance Grant
- 50.1001.16.01 JAG16 Justice Assistance Grant
- 50.1003.17.01 VAWA FY17 Domestic Violence Grant
- 50.1005.16.01 Bulletproof Vest Partnership Grant
- 50.1006.17.01 NH Hwy Safety – Nashua Step Grant
- 50.1006.17.04 NH Hwy Safety – Pedestrian Patrol Grant
- 50.1006.17.08 NH Hwy Safety – Nashua DWI/DUI Patrol
- 50.1010.18.01 NH Hwy Safety - Hostage Rescue Team Conference
- 50.1010.18.01 NH Hwy Safety – National Tactical Operations Conference
- 50.1011.18.01 Law Enforcement OARI (Granite Hammer Drug)

Other:

Finance approved the vest purchases and the Extra Duty Solutions (outside detail) contract. The Communications and the Teamsters collective bargaining agreements are scheduled for Budget Review on November 27, 2017, and may be scheduled with the full Board of Aldermen in December.

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

ACTIVITY REPORT:***Deputy Chief Denis Linehan reported the following:***

During the month of October, there has been an increase in robberies and criminal threatening incidents involving the use of a firearm.

On October 22, 2017, officers responded to Cross Street for a report of a multiple stabbing incident involving two subjects with stab wound injuries. A third male subject with severe blunt force trauma injuries was also located nearby. The third male subject reported that he was kidnapped and tortured by the two subjects who sustained stab wound injuries. The third subject reported that he stabbed the other two individuals during his escape from their captivity. The third subject was reportedly held captive and tortured because it was believed that he sold a fatal dose of narcotics to a friend of the two subjects who kidnapped him. CID furthered the investigation.

On October 11, 2017, officers responded to Allds Street for an unfortunate auto-pedestrian fatal accident. The privately operated garbage truck backed over a pedestrian. CID and Accident Reconstruction furthered the investigation.

On October 18, 2017, officers responded to a two vehicle accident with injury located at Broad Street at Majestic Avenue. One of the operators of the vehicle was deceased and it was later determined that she had a medical incident that caused her to swerve into the oncoming traffic lane causing the accident. The other operator had sustained non-life threatening injuries. CID and the Accident Reconstruction Unit responded and are furthering the investigation.

Deputy Chief Michael Carignan reported the following:

The Nashua Police Department sponsored a "Drug Takeback" day in October. Fifteen boxes were collected totaling 400 pounds of discarded prescriptions. This is the highest collected to date.

Our Crime Analyst will be back to work sometime during the next few weeks and will be working on various statistics. Commissioner Tollner requested that the drug statistics for this year and last year for comparison purposes be provided to him once they are completed. Chief Lavoie reminded him that the Nashua Police drug statistics may differ from the Nashua Fire statistics. For example, if NFR drops off a live subject at a hospital, they would show it as an overdose. If that subject passed away from that drug overdose while at the hospital, the hospital would then contact NPD to report the death and we would show it as an overdose death.

2017 Drug Statistics:

- Total Heroin Overdoses: 209
- Heroin Overdose Deaths: 37

Several Nashua Police Officers are assigned to the DEA Drug Task Force. In November, they seized 7 stolen handguns, 3 large capacity illegal firearms magazines, 400 grams of suspected heroin, 14 pounds of marijuana, \$5,000 in US currency, and various items of gold jewelry. In October, they arrested 12 individuals, seized \$31,300 in US currency, and approximately 1 kilogram of Fentanyl. In addition to the above incidents, 12 individuals were arrested, 1 kilogram of Fentanyl was seized along with \$22,000 in US currency, and 1 vehicle was seized.

The Extra Duty Solutions contract has been approved regarding the management of outside details. The company will be at Nashua Police to start the process of setting up the system with a goal to have it up and running by January 1, 2017.

MOTION: Commissioner Dahl 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.

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

CIVILIAN HIRING:***For the Record:***

The following Civilian has been hired to fill a vacant position:

- Probationary Communications Technician I Ashley M. Cedorchuk: Effective November 22, 2017

AWARD:***For the Record:***

- Officer Nicole Clay: Letter of Recognition for exceptional performance and assistance in the Legal Bureau.

OTHER BUSINESS:

On November 9, 2017, Accreditation conducted an unannounced evidence audit in which 226 items were randomly pulled. Items included guns, drugs, and cash and all items were found to be correctly labeled and correctly located/stored. Accreditation generally conducts audits quarterly and annually.

The annual Nashua Holiday Stroll is scheduled for November 25, 2017. Nashua Police will have a large presence during the event.

Commissioner Dahl reported that he was impressed with the positive feedback (98% positive) received from the recent Citizens Academy.

PUBLIC COMMENT:

There were no public comments.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 8:02 a.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 (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 Plante, seconded by Commissioner Dahl.

A roll call vote was taken:

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

NON-PUBLIC SESSION

MINUTES SEALED

MOTION: Commissioner Tollner asked for a motion by roll call vote to **continue** the non-public session as authorized by:

Item #2:

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 Plante, seconded by Commissioner Dahl.

A roll call vote was taken:

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

NON-PUBLIC SESSION

MINUTES SEALED

MOTION: Commissioner Tollner asked for a motion by roll call vote to **continue** the non-public session as authorized by:

Item #3:

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 Dahl.

A roll call vote was taken:

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

NON-PUBLIC SESSION

MINUTES SEALED

MOTION: Commissioner Tollner asked for a motion by roll call vote to *continue* the non-public session as authorized by:

Item #4:

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

Motion by Commissioner Tollner, seconded by Commissioner Plante.

A roll call vote was taken:

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

NON-PUBLIC SESSION

MINUTES SEALED

MOTION: Commissioner Tollner asked for a motion by roll call vote to *continue* the non-public session as authorized by:

Item #5:

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 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 Dahl.

RETURN TO PUBLIC SESSION: 8:31 a.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 (a),

“The dismissal, promotion, or compensations of any public employee or the disciplining of such employee.....”

Item #2: RSA 91-A:3, II (a),

“The dismissal, promotion, or compensations of any public employee or the disciplining of such employee.....”

Item #3: RSA 91-A:3, II (a),

“The dismissal, promotion, or compensations of any public employee or the disciplining of such employee.....”

Item #4: RSA 91-A:3, II (b)

“The hiring of any person as a public employee”

Item #5: RSA 91-A:3, II (a),

“The dismissal, promotion, or compensations of any public employee or the disciplining of such employee.....”

MOTION: Motion by Commissioner Tollner, seconded by Commissioner Plante, to seal the minutes of the Non-Public Session (**Item #1, 2, 3, 4, 5**) as authorized above.

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

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Monday, December 18, 2017, at 8:00 a.m.

ADJOURNMENT

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

Time: 8:50 a.m.

Respectfully submitted,

Commissioner Nicholas Dahl, Clerk