

October 27, 2015

The Nashua Police Commission held a meeting on Tuesday, October 27, 2015, at the Nashua Police Department.

Members present:

Commissioner Robert E. Valade, Clerk
Commissioner James R. Tollner
Commissioner Nicholas Dahl
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 Lori Wilshire
Alderman Michael Soucy (not in attendance)

PUBLIC SESSION

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

CONFIRMATION OF POLICE COMMISSIONER NICHOLAS DAHL:

On October 21, 2015, Governor Maggie Hassan and the NH Executive Council confirmed the nomination of Nicholas Dahl as Nashua Police Commissioner. He will serve a three-year term effective from October 21, 2015, through September 1, 2018.

MOTION: Commissioner Tollner made a motion to appoint Commissioner Robert Valade to the position of Chairman, which was previously held by Commissioner Thomas Maffee. Motion Seconded by Commissioner Dahl. All in favor.

MOTION: Commissioner Valade made a motion to appoint Commissioner James Tollner to the position of Clerk, which was previously held by Commissioner Robert Valade. Motion Seconded by Commissioner Dahl. All in favor.

MINUTES:

- September 15, 2015

MOTION: Commissioner Tollner made a motion to approve the minutes of the September 15, 2015, meeting. Motion seconded by Commissioner Dahl.

BUDGET:

MOTION: Commissioner Tollner made a motion to put the budget reports on the table.

Business Manager Karen Smith provided the following budget reports:

Resolution and Grants:

- **R-15-180:** Resolution to accept \$44,890 from the US Department of Justice for the 2015 JAG Grant for the purpose of purchasing equipment and funding of overtime.
- **R-25-283:** Resolution to establish an Expendable Trust Fund for the acceptance of appropriations equivalent to Concealed Carry Firearms License Fees for the use of the Police Department and appropriating \$10,000 from unanticipated revenue into the expendable trust fund.

Commissioner Tollner commented that he would like to see more sponsors on resolutions in the future.

Expenditure Report FY2016:

The Commissioners received a copy of the Department Detail Expenditure Report as of month-end September 30, 2015. Karen Smith has no concerns regarding the operational accounts thus far. She is monitoring the ammunition purchase that was delayed due to the vendor, Riley's, going out of business. She has received word that the State contract has now been awarded to Eagle Point and we will proceed with the Finance Committee process for getting the ammunition ordered as soon as possible due to what could be a year-long back order.

NPD went to Finance last month to purchase two Impalas, and we are on the Finance agenda for November for the purchase of undercover cars through forfeiture funds. The Prisoner Van is a CERF approved purchase and we currently expect that bid to be completed by October 30. The current Prisoner Van insert equipment will be removed from the old vehicle and installed into the new vehicle.

FY2016 Revenue Report:

The Commissioners received a copy of the September 30, 2015, Revenue Report.

FY2016 Weekly Payroll Overtime:

The overtime has been averaging \$21,000 weekly during the months of July, August, and September which is a little higher than the \$19,377 weekly average appropriation. However, given the number of vacancies at eight, this is expected. The savings from the vacancies will offset the overtime.

FY2016 Overtime Tracking by Specific Case or Significant Occurrence:

The Commissioners received a copy of the report showing the overtime cost for recent major cases and or significant occurrences. September included an increase in investigative overtime the last two weeks of September for investigative overtime totaling approximately \$13,000.

FY2013 – FY2016 Payroll Graphs:

The Commissioners received graphs comparing FY2013 through FY2016 overtime expenditures. The graphs show that the first quarter of FY2016 overtime was in line with the budget. The graphs show that the FY2016 payroll budget expenditures, thus far, are comparable with or better than FY2014, which was a year that we spent \$1.22 million on overtime. In FY2014 the overage in overtime was balanced by the attrition in payroll. The change in FY2016 is due to the number of vacancies and the continued staffing realignments.

Quarterly Special Revenue Funds and Grants:

The Commissioners received copies of the quarterly Special Revenue Fund Reports to include three forfeiture and pistol accounts. Active grant reports were provided for the Justice Assistance Grants and Bulletproof Vest Grants.

Strength Report:

The Commission received a copy of the September 30, 2015, Strength Report.

September 2015	Commission Authorized	Budgeted	Positions Filled	Vacant Budgeted Positions
Total Sworn Full-Time	185	178	170	8
Total Sworn Part-Time		1	1	0
Total Non-Sworn Members	6	6	5	1
Total Part-Time Civilians	8	6	6	0
Total Full-Time Civilians	69	60	56	4
Total Grant Civilians	1	1	1	0
TOTAL:	269	252	239	13

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

ACTIVITY REPORT:

Verbal Report by Deputy Chief Denis Linehan:

On September 2, 2015, NPD received a report of an altercation on Cedar Street between two men, both pointing guns at each other. An officer, while on a traffic detail, observed the suspect vehicle, stopped it, made contact with the driver, and secured the firearm. The altercation was the result of a drug deal gone badly. This incident is a good example of the importance of using policemen vs. flaggers at a “detail” site.

On September 12, 2015, police responded to a disturbance call at La Simpatia involving multiple people. Upon arrival, two stabbing victims were located and transported for medical treatment. There was another incident at the same location recently in which medical attention was also needed. The establishment does not have a liquor license and a search warrant was recently issued by Liquor Enforcement for selling alcohol. We will continue to monitor the establishment.

On September 6, 2015, officers responded to the area of West Hollis Street for a motor vehicle accident involving a motorcycle and motor vehicle. The motorcycle operator sustained life threatening injuries and was immediately transported to St. Joseph’s Hospital where he was pronounced dead. The operator of the vehicle was placed under arrest for DWI before being transported to SNHMC. The Accident Reconstruction Unit is investigating the accident. Additional charges may be forthcoming.

The Hazardous Device Unit was called out on three occasions for assistance in Pelham, NH, regarding a resident who had some grenades in storage. Nashua Police and State Police are the only agencies in the State with a bomb team. The State team is staffed by troopers who are sometimes on the road when a call comes in for assistance. Many times it is quicker for the Nashua Police Department Hazardous Device Unit to respond.

The Special Reaction Team was not called out last month.

Verbal report by Deputy Chief Michael Carignan:

Detectives have seen an increase in robberies.

Robbery on Cedar Street on 9/2/15: Arrest made; Robbery at Santander Bank: Arrest made within 24 hours; Robbery at Santander ATM: Arrest coming. Detectives and Officer continue to utilize captured video

footage/photos to assist with suspect identification. It should be noted that heroin & other drugs play a role in robberies.

Chief Lavoie attended a School Board meeting regarding a possible student threat. A thorough investigation showed that there was no threat or criminal intent from the student.

On October 2, 2015, police held a scene during an investigation of a possible suspicious death. The investigation concluded that the death was not suspicious; however, manpower was tied up holding the scene.

Officer Belmont, in conjunction with PAL, continues with an ongoing effort with graffiti removal in Nashua.

The Professional Standards Bureau is in the process of conducting background investigations for police recruit candidates.

Chief Lavoie reminded the Commissioners of the continued safety concerns police officers face every day on the streets.

Captain Paulson and Officer Adams continue working with the Crime Watch meeting groups. There are 32 established Crime Watch Groups.

Lieutenant Carlos Camacho received the St. Michael Award at the Red Mass at St. Elizabeth Seton Church in Bedford, NH. Lt. Camacho was the first recipient of this award. Commissioner Tollner inquired to Alderman Lori Wilshire if the Board of Aldermen could also recognize Lt. Camacho for receiving this award.

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

CORRESPONDENCE FROM THE PUBLIC & OTHER AGENCIES:

The Chief gave the Commissioners an overview of the letters of appreciation received from the public and other outside agencies.

MOTION: Commissioner Tollner made a motion to accept the correspondence and place on file. The motion was seconded by Commissioner Dahl.

RETIREMENT / RESIGNATION:

- Sergeant Phillip Nichols: Retirement effective October 1, 2015
- First Year Special Officer Philip Bellino: Resignation effective September 19, 2015

MOTION: Commissioner Dahl made a motion to accept the retirement of Sergeant Phillip Nichols effective October 1, 2015. The motion was seconded by Commissioner Tollner.

MOTION: Commissioner Dahl made a motion to accept the resignation of First Year Special Officer Philip Bellino effective September 19, 2015. The motion was seconded by Commissioner Tollner.

HIRING:

For the Record: Paul B. Duvall, Jr., has been hired to fill the vacant position of Account Clerk III. His hire date was October 5, 2015.

NEW HAMPSHIRE CONGRESSIONAL LAW ENFORCEMENT AWARD:

On October 16, 2015, the Chief Andrew Lavoie was presented with the New Hampshire Congressional Law Enforcement Award in the "Unit Citation" category. The Nashua Police Department received the award for displaying:

"tremendous courage during the events of October 8, 2014, when responding to the rioters in Keene. Your Department's participation helped to defuse this dangerous situation and was recognized by the New Hampshire law enforcement community when they nominated and selected your department for this award."

The award was signed by:

- Jeanne Shaheen, United States Senator
- Kelly Ayotte, United States Senator
- Ann McLane Kuster, United States Representative
- Frank Guinta, United States Representative

MASTER PATROLMAN CERTIFICATIONS:

The listed Senior Patrolmen will complete a minimum of seven continuous years of service during 2015 and 2016 and have satisfactorily completed all other requirements for certification to Master Patrolman.

Effective December 15, 2015:

- Senior Patrolman Michael Lang
- Senior Patrolman Frank Lombardi
- Senior Patrolman Matthew Allen

Effective April 14, 2016:

- Senior Patrolman John Colangelo
- Senior Patrolman Michael Hatzipetros
- Senior Patrolman Jaclyn McIver

MOTION: Commissioner Dahl made a motion to certify the above listed Senior Patrolman as Master Patrolman on their effective dates. Motion seconded by Commissioner Tollner.

OTHER BUSINESS:

Chief informed the Commissioners that due to the current heroin/drug crisis, he assigned an additional detective to the Detective Bureau, Narcotics Intelligence Division. This detective will be assigned to the DEA HIDTA Task Force. This is a two-year assignment and will be a worthwhile effort because of the drug crisis.

Chief Lavoie recently attended the following events:

- Speaker at the Heroin Symposium at Rivier.
- Meeting with US Congresswoman Annie Kuster at NPD which included a ride-a-long in Nashua. Congresswoman Kuster will make efforts to assist with finding federal funds for the heroin epidemic.
- Panel discussion at Immigrant Roundtable Symposium regarding easing the transition of immigrants.

PUBLIC COMMENT:

There were no public comments.

NEXT MEETING:

The next Police Commission meeting is tentatively scheduled for Tuesday, November 17, 2015. The December 15, 2015, meeting will be rescheduled in the near future due to NPD's CALEA Accreditation Assessment Public Hearing on that date in December.

NON-PUBLIC SESSION

MINUTES SEALED

PUBLIC SESSION INTO NONPUBLIC SESSION: 7:02 p.m.

MOTION: Commissioner Valade 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 (b) HIRING

"The hiring of any person as a public employee"

Motion by Commissioner Tollner, seconded by Commissioner Dahl.

A roll call vote was taken:

- Commissioner Valade – yes; Commissioner Tollner – yes; Commission Dahl - yes

MOTION TO SEAL RSA 91-A:3 III Chairman Valade asked for a motion to seal the minutes of this portion of the non-public session. Upon motion by Commissioner Tollner, seconded by Commissioner Dahl, motion carried. Chairman Valade – yes; Commissioner Tollner – yes; Commissioner Dahl – yes. Minutes sealed.

NON-PUBLIC SESSION

MINUTES SEALED

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

RSA 91-A:3, II(e) PENDING CLAIMS OR LITIGATION

Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any body, board, or agency for the purposes of this subparagraph

Motion by Commissioner Dahl, seconded by Commissioner Tollner.

A roll call vote was taken:

- Commissioner Valade – yes; Commissioner Tollner – yes; Commission Dahl - yes

MOTION TO SEAL RSA 91-A:3 III Chairman Valade asked for a motion to seal the minutes of this portion of the non-public session. Upon motion by Commissioner Tollner, seconded by Commissioner Dahl, motion carried. Chairman Valade – yes; Commissioner Tollner – yes; Commissioner Dahl – yes. Minutes sealed.

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: 7:20 p.m.

TENTATIVE DATE OF NEXT REGULARLY SCHEDULED MEETING:

- Tuesday, November 17, 2015

ADJOURNMENT

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

Time: 7:20 p.m.

Respectfully submitted,

Commissioner James Tollner, Clerk