



## **Public Safety Board**

**March 28, 2016**

**3:00 p.m.**

### **City Council Chambers**

Members present: Councilor Amanda Grady Sexton (Chair), Mr. Anthony Bourque, Ms. Lisa Brown, Mr. Don Carter, Mr. Jim O'Neill, Councilor Fred Keach, Mr. Steve Edwards

Others Present: Mayor James P. Bouley

City Staff Present: Deputy City Manager-Development Carlos Baia, Police Chief Brad Osgood, City Solicitor Jim Kennedy, Fire Chief Dan Andrus (Staff Liaison)

Not Present: Councilor Rob Werner, Ms. Carol Hargrove, Councilor Brent Todd, Mr. Michael Russell

#### **Call to Order**

Councilor Grady Sexton called the meeting to order at 3:00 p.m. Chief Andrus advised the Board that Mr. Jim Cotsana has indicated that he wishes to resign. The Board asked Chief Andrus to follow through with the City Clerk's Office to assure that Mr. Cotsana is appropriately recognized for his service to the City on this Board.

#### **Approval of Meeting Minutes**

The board reviewed the minutes of December 7, 2015. Councilor Keach moved to approve the minutes as presented. Mr. Carter seconded the motion. The motion passed unanimously.

#### **Referral from the City Council**

City Solicitor Jim Kennedy recounted the history of an event that took place on Pembroke Road that generated a referral to this Board by the City Council. The Board had recommended that the Council request that the City Administration follow up with a review of the City's ordinances and permitting processes and recommend any changes needed. Mr. Kennedy said that he recommended that no changes be made. Mr. Kennedy advised that, in consideration of the First amendment of the United States Constitution,

protecting the freedom of speech, association and religion, going forward it was in the City's best interest not to regulate private events and/or assemblies on private residential property, where no commercial activity is involved. This means that the City would not regulate and/or issue permits for events such as family gatherings, religious observances, birthday parties, graduation parties, wedding receptions, etc. on private residential property. Instead, such gatherings on private residential property are lawful without the issuance of a permit. To the extent that there are complaints concerning such private and non-commercial gatherings on private residential property, the City Solicitor recommended that the City utilize existing laws and ordinances to respond, investigate, and if necessary, prosecute said complaints.

Mr. Carter asked about time frames. He said that he understood that the permit was requested on the Friday afternoon before the event began. Is there enough time? Mr. Baia said that City staff was likely trying to be accommodating. . The challenge with these events that may receive a permit is that, many times, they are held on weekends when no one from the Code Office is working. On those occasions, when there are problems, the police are called. In some of these instances, the permit itself can complicate enforcement by the police where the responding officer may not have all the details of the permit and may be reticent to take action. Mr. Carter commented that it seemed like there needed to be more information and more time to deal with it.

Councilor Keach asked how they were told that they needed a permit. Did they need a permit? Mr. Baia said that the ordinance is not explicit in terms of whether a permit would be required. Over the years, staff has made interpretations of the ordinance that if there is a possibility of live music, for example, they would seek to issue a permit. Mayor Bouley said that the people who organized the Heights Old Home Days told them that they needed a permit. Mr. Carter asked Chiefs Osgood and Andrus if they supported the proposed change in practice. Both said yes. Mayor Bouley said that the Police Department signs off on the permit. He asked for more information. Chief Osgood said that the Police Department gets involved when there is impact on the public way. They are frequently called for issues of noise and disruption, and very often there is no issue when they arrive. He said that he thinks this change in practice is a good direction.

Mr. Bouley said that there are not many incidents. He said that yard sales are a bigger safety issue. They impact the width of the roadway. He talked about the monthly flea market and the need to explain this to the public. Mr. Kennedy said that yard sales are commercial activity in a residential zone. When you regulate one, you have to regulate all. Mayor Bouley asked if the difference is that these are commercial events. Mr. Kennedy said yes. Ms. Brown said that she thinks that what is being done is right. Councilor Keach commented that it is about balancing First Amendment rights and other homeowners' experience of traffic and noise.

Councilor Keach moved to accept the recommendation of the City Solicitor. Mr. Bourque seconded the motion. The motion passed unanimously.

### **Public Safety Board Annual Report**

Chief Osgood reviewed his written report, including the number of and changes in Part I and Part II crimes. He reviewed the accomplishments of the Problem Oriented Policing Unit and its support from community and business groups. He also talked about the sex offender tracking program. There are 260 registered sex offenders in Concord and there are about 1100 “registration events” every year. Each takes 20-30 minutes, creating a significant impact. He talked about traffic enforcement and said that the two motorcycles are working out very well. He reviewed the Department’s staffing history and the activities of the Community Services Division.

Chief Osgood said that the Department did not have a mechanism in place to track overdose calls. One was created in 2015 and it had become evident that this type of information was important to track. There were 107 overdose calls in 2015, requiring a large resource commitment. There was an occasion when there were three overdose calls occurring simultaneously. In 2012, there were two overdose fatalities. In 2013, that number was four. In 2014 there were 14 overdose deaths. In 2015, there were ten overdose deaths. So far in 2016 there have been five deaths. There is an emerging problem with crystal meth and crack cocaine may be making a comeback. A fourth officer was added to the drug unit in January, however, one officer recently sustained an injury and will be out of work for up to nine months. . He also reviewed arrests and domestic violence cases. A total of 15% of crimes in the City are felonies. There were 259 drug arrests and they are making progress in this area.

Councilor Grady Sexton asked if he had heard from the new drug czar. He said that the person has not started work yet, but he expects to be contacted. Mr. O’Neill asked if officers carry narcan. Chief Osgood said no, Fire Department response times are excellent and frequently they are on the scene prior to the Police. Mr. O’Neill said that Manchester and Nashua are putting narcan in schools and asked Chief Osgood if he could see it going into Concord schools. Chief Osgood said no and was unable to provide any information regarding overdose calls at any of the schools. Ms. Brown asked if there are some activities eligible for federal dollars. Chief Osgood talked about asset forfeiture, and about funds being used to purchase illegal drugs for Police activities. They have not participated in the Attorney General’s Drug Task Force in three years.

Mr. Edwards asked how the drug unit measures its performance. Chief Osgood said that it is a complex matter, and success depends on many things falling into place. Mr. Edwards asked how they know where the drugs are coming from. Chief Osgood said that they participate in the drug monitoring initiative and collaboration between law enforcement agencies is very good. Intelligence sources give us a very good idea where the sources are coming from. Mr. Edwards asked what happens to people when they are arrested. Chief Osgood explained the process and said that they primarily deal with lower and middle end dealers who often receive some type of limited sentence. Mr. Edwards asked about the Manchester situation and Mexican drug cartels. Chief Osgood

said that drugs come from Mexico through New York City, Worcester, Lawrence, and Lowell. People in Concord are going to Manchester, Lowell, and Lawrence to get drugs. Manchester has problems with weapons and with other issues. Councilor Keach said that forfeiture is an important tool and asked about the state drug task force. Mr. Bourque said that the federal war on drugs has been going on for 50 years and it is getting worse. Chief Osgood said that it is a war that will never be won and that resources are being stripped down at the state and federal level for law enforcement efforts. Mr. Edwards said that it is sad to see all that the Police Department has to battle.

Mr. Carter said that he is concerned with staffing. He said that the Police Department's community outreach is admirable. He said that the City needs to look at adding resources. Mayor Bouley said that they are having a difficult time filling positions and that, nationwide, the image of police departments has been strained. Mr. Carter commented that they need a marketing process, and that there could be some significant issues with staffing in the future. He asked that the City Council reflect on that. Chief Osgood said that they look at future staffing needs and commented that new employees do not really provide service for the first ten months of employment. Mayor Bouley said that Project HOPE is looking at opening in Concord and asked Chief Osgood if he supported that. Chief Osgood said that he supports it and that it has been successful in Manchester.

Mr. O'Neill moved to accept the Police Chief's report as written. Councilor Keach seconded the motion. The motion passed unanimously.

Chief Andrus reviewed the Fire Department report. Calls topped 8,000 for the first time in Department history, driven largely by emergency medical calls and service calls. The surge in calls is largely due to the aging "Baby Boomer" population. In 2010 there were just over 1,700 patients over the age of 60. In 2015, there were 550 more patients in that age group. They have a wide range of medical problems and it is driving the call volume. The Fire Department is involved with Concord Hospital, Riverbend, and the Visiting Nurses Association to provide more appropriate destinations and care for people. Riverbend has a mobile mental health unit. The VNA has a program for seniors who have experienced a fall that provides follow up to prevent future falls. Falls are the #1 dispatch reason. Calls went from 660 in 2014 to 754 in 2015. The Fire Department will continue to work with community agencies in falls prevention and the City Manager has expressed interest in leading that effort through recreation programming.

Chief Andrus talked about the Department's success in obtaining grants. The Department received \$483,516 in 2014 for new protective breathing equipment and \$208,850 this year for sprinklers in three of the fire stations. Much of the credit is due to former Administrative Specialist Erin Newnan who left the Department in 2015. Captain Ernest Petrin was successful in getting a grant of for a simulcast communications system which will be a big step forward for safety.

The union locals have done tremendous community service work with the Boys and Girls Club and with Operation Warm to get new coats for children. They did a crash demonstration at NHTI to highlight the consequences of drinking and driving. The firefighters union president just made a presentation to the substance abuse network and suicide prevention network on responder perspectives.

Chief Andrus reviewed overdose calls for the Fire Department. Calls increased from 35 in 2012 to 145 in 2014 and are levelling off at 151 for 2015. Narcan went from 35 uses to 105 uses in the same time period. Calls for alcohol abuse and behavioral emergencies are up.

Chief Andrus talked about the need for personnel in Prevention and Training and Emergency Medical Services. The City Manager is reviewing a proposal which he will present at budget time to address this. With fire calls down and EMS calls up, the question of whether additional resources should be added should be addressed through a comprehensive study which is part of the Capital Improvement Program request.

Mr. Bourque asked about staffing in the Fire Prevention Bureau. Chief Andrus said that current staffing is a fire marshal, assistant fire marshal, and part of an administrative specialist's workload. That staffing decreased over the last decade with the loss of a public safety educator. Mr. Bourque asked about a change in the Fire Prevention Bureau several years ago. Chief Andrus said that the Life Safety Officer, a Captain level position, had filled a vacant Deputy Chief role and the Captain position had been changed to a Fire Marshal at Bureau Chief rank. Mr. Bourque asked for more details on the proposal. Chief Andrus said that the City Manager is still reviewing it and has asked that it not be discussed until he makes a decision on whether to move it forward to the City Council. Chief Andrus added that there are people filling acting positions in the Training and Prevention Bureaus, in addition to an acting Deputy Chief.

Mr. O'Neill asked about calls for mental health situations. Are these Concord people or people from the State Hospital? Chief Andrus said both, and that there are several individuals who, due to aging are experiencing problems. The Fire Department works with other agencies to find effective resolutions to these. Mr. O'Neill asked about the age range for alcohol abuse. Chief Andrus said that he would provide a report. Mr. Edwards asked how common it was for someone to overdose more than once. Chief Andrus said that a recent review of records indicated that only five patients were repeat patients for overdoses. He said that they have found people who have overdosed in other cities and towns.

Councilor Grady Sexton asked about age breakdowns and demographics for overdoses. Chief Andrus said that he would provide that.

Mr. O'Neill asked if there was a problem with needles. Chief Osgood said no and talked about the drop box for medications. Mayor Bouley asked about how many pounds of drugs were collected per month in the drop box. Chief Osgood said that 142 pounds were collected over several months. Mayor Bouley talked about a Massachusetts law limiting the amount of prescription drugs that could be prescribed. Mr. Bourque recalled when providers were criticized for not prescribing enough for pain. Chief Osgood talked about the need for a discussion about this.

Chief Andrus invited all of the Board members to the Fire Department Awards Ceremony on April 8<sup>th</sup> at the City Auditorium and thanked the Mayor for his presence and participation in the ceremony every year of the last eight years.

Mr. Bourque moved to accept the report from the Fire Chief. Councilor Keach seconded the motion. The motion passed unanimously.

### **Next Meeting**

The next meeting will be scheduled at the call of the Chair.

### **Adjournment**

Mr. Bourque moved to adjourn the meeting. Councilor Keach seconded the motion. The meeting was adjourned at 4:41 p.m.