

**Board of Selectmen  
28 January 2008  
Minutes**

**6:01 p.m.** - Chairman Brian Forst called the meeting to order. Present were Chairman Forst, Selectmen Don Guarino and Rachel Hatch, Town Administrator Tim Warren and Clerk Lois Dionne.

**Taser Policy** –Two weeks ago Chief O’Brien had presented the Selectmen with a draft of a policy for the use of taser guns in Gilmanton. The Selectmen asked for time to take the policy home to carefully review it. Tonight Phil was in to discuss the policy to which he had made one minor amendment. There was a brief discussion during which the conditions under which the tasers should be used; whom they should be used on, and who would remove the barbs from an individual after they had been tased were items addressed.

Zannah Richards, who was also present, expressed her concern about the use of tasers, and asked what situations would require the need to use a taser, and why Gilmanton needed tasers. Tim gave Zannah a copy of the draft taser policy. Chairman Forst explained how it came about that the Town was getting tasers. He explained that last year at Town Meeting, someone had tried to amend the budget to purchase tasers, and it failed. He said an anonymous donor wanted to provide the funds to purchase five tasers for the police department. Brian stated that the Board of Selectmen had looked into the feasibility of tasers, and whether or not tasers were a useful tool. The Sheriff’s department had given a demonstration at a Selectmen’s meeting. He stated that at first he (Brian) hadn’t felt the need for tasers, but after seeing the video and demonstration, it had become evident that this was a tool, that given a situation where physical force could not apprehend an individual, a taser was a tool that would bring the situation to a closure without having to use a gun which could result in the taking of someone’s life.

Zannah asked how often pepper spray had been used. Phil replied about twice a year. Zannah if that wasn’t adequate to subdue an individual. Phil felt there was more liability with pepper spray than with a taser. There was a discussion of pepper spray vs. a taser. Zannah was concerned that tasers might be used indiscriminately. It was explained to her that was why it was stated in the policy that the Board of Selectmen had the right to discontinue the use of tasers at any time, should they feel they are not being used in a manner they feel is good for the Town.

**Public Safety Policy** – Selectman Hatch stated that they had talked about amending the policy for entering a building when an officer is responding to a break-in or a burglary.

## **01-28-08 - BOS**

Chief O'Brien said they have a public safety policy for welfare checks. He said this is for entering homes to do a welfare check on an individual it is felt might be in need of assistance in some way. Phil said they had adapted this policy; they don't enter dwellings without a reason, and they contact a supervisor to advise of what is going on, and contact the property owner for permission. He said they exhaust all other options before entering a building unless the situation dictates an urgent need to get into the building.

**Regulations – False Alarms** – Chief O'Brien had a copy of the department's regulations for responding to false alarms from homeowner's safety systems. He said it hadn't been updated since 1997, and asked the Selectmen to review it. Phil felt the charge the policy had for false alarms after three false alarms was high, and the policy has not been being enforced. There was a brief discussion of alarms that go off frequently, also of alarms that malfunction in summer residences, when the owners can't get there to take care of them. Phil said when an alarm malfunctions; it can go off more than three times in one weekend, and felt it wouldn't be fair to charge the fee currently in the policy. The Selectmen will review and try to revise the policy so it can be enforced.

**MOTION – Selectman Hatch moved to accept the Guideline for Use of the Taser X-26 Policy as amended by Chief O'Brien, and as presented to the Selectmen two weeks ago. Selectman Guarino seconded. Motion passed 3-0.**

**Recycling Center Budget & Update** - Recycling Manager Doug Kaplain was in to review his budget with the Selectmen. The budget was reviewed, and there was also discussion about putting a pad under the scrap metal pile, purchasing containers in which to store computers and electronics before they are sent out for disposal. We are currently renting containers, and Doug felt it would be cheaper to purchase containers. Doug was also concerned because he said the recycling committee had not met at all this past year, and he felt the Town should go to mandatory recycling. Doug pointed out that because computers monitors and televisions are so thin now people are putting them into black bags, and throwing them into the compactor. Doug asked if they could make it mandatory that residents use clear bags, then the recycling attendant could see if things were being thrown into the compactor that shouldn't be. He was told it was late to be discussing getting an article for this year's town meeting, as warrant articles have to be in for Thursday's budget meeting. It was also pointed out that public meetings should have been held to inform residents if such an article were to be presented at Town Meeting.

**7:00 p.m. – Public Input** - There was no one present for public input, so the Selectmen continued the discussion of the Recycling Center.

They discussed the fact that Penacook is looking to go to a single-stream recycling center, which means that people don't separate their recyclables; they just go into one bin. It was also stated that Wheelabrator is going to be increasing the cost of disposing of our trash. Our current fee structure for disposing of appliances, electronics, etc. was briefly discussed.

## **01-28-08 - BOS**

Doug questioned why he couldn't spend money that is in a Capital Reserve Account left over from the Landfill closure to do things like pave the area at the recycling center. There was considerable discussion during which it was explained that they would have to have a warrant article to change the name of the Capital Reserve Account to a Recycling Center Improvement account, and then they could request to spend the money for improvements at the recycling center. Tim will write a warrant article requesting to change the name of the account.

**Hammond Brown – Granite State Fair Tax Coalition** – Hammond Brown came before the Selectmen to ask if they would support a petition from the coalition that stated the citizens of Gilmanton believe New Hampshire property tax has become unjust and unfair, and State leaders who take a pledge for no new taxes perpetuate higher and higher property taxes. The petition asks that we call on our State Representatives, our State Senator and our Governor to reject the "Pledge", have an open discussion covering all options, and adopt a revenue system that lowers property taxes. He said they would do a petition warrant article if the Selectmen vote not to support the warrant, but were hoping for their support. There was a brief discussion about whether or not this would add other taxes to relieve property taxes, and if they would end up going elsewhere, like the NH sweepstakes that had been initially going to be allocated to the schools thereby lowering property taxes; this hasn't happened.

Selectman Guarino was against supporting the petition, Selectman Hatch didn't feel ready to comment on it tonight, and Chairman Forst said the first he had heard of the petition was when it was handed to the Selectmen tonight, and didn't feel they had enough time to thoroughly review the information handed to them with the petition to make a decision, as the decision would have to be made tonight in order for a warrant article to be drafted for the budget meeting Thursday night. Chairman Forst felt Mr. Brown should submit the petition as a petition warrant article.

### **8:10 p.m. – Recess**

### **8:25 p.m. – Back in Session**

**Approval of Minutes** – The Selectmen reviewed the minutes of their last meeting.

**MOTION – Selectman Hatch moved to accept the minutes of January 14, 2008 as amended. Selectman Guarino seconded. Motion passed 3-0.**

**Budget Discussion** – Tim Warren presented the Selectmen with a copy of the budget for their review to be presented at Thursday's budget meeting.

Items of discussion were the money we expend for Public-Access TV, Milfoil Treatment for Rocky Pond, the Capital Reserve for highway equipment, Election Administration,

**01-28-08 - BOS**

and the need to establish a Capital Reserve Account for the Police Department for the purchase of cruisers.

Other items of discussion were the Parks & Rec. Budget, the Fire Department revenues and the Police Department Detail Pay Rate.

There was also a brief review of the warrant articles.

**Mail File** - There was a brief discussion of a couple of letters from the mail file. One was asking Gilmanton to join in a lawsuit against the NH Retirement System and to donate toward the lawsuit. The Town of Meredith is spearheading the lawsuit. After a brief discussion, the Selectmen decided they do not want to donate toward the lawsuit.

Another was a letter from Verizon regarding the flagpoles that the Boy Scouts have put on their utility poles. It was felt the letter should be passed on to the Scouts, but before doing so, the Selectmen asked Tim to write a letter to Verizon asking if the flags can go on the poles, and if we need an agreement with Verizon, or if there are any fees for doing so.

**10:16 p.m. – MOTION - Selectman Hatch moved to adjourn the meeting. Selectman Guarino seconded. Motion passed 3-0.**

Respectfully submitted,

Lois Dionne  
Recording Clerk

