

**TOWN OF FARMINGTON  
BOARD OF SELECTMEN  
PUBLIC MEETING MINUTES  
Monday, November 1, 2010  
356 Main Street, Farmington, NH**

**Selectmen Members Present:** Paula Proulx, Gerry McCarthy, Charlie King, Gail Ellis and Joan Funk.

**Town Staff Present:** Interim Town Administrator Alan Gould, Water/Wastewater Superintendant Dale Sprague, Public Works Director Scott Hazelton, Police Chief Scott Roberge and Recreation Director Rick Conway.

**Public Present:** Neil Johnson

**Chairman Proulx called the meeting to order at 6:00pm.**

**1. Review of Minutes:**

- A. *Joan Funk motioned to accept the public minutes of 10-25-10 as amended, 2<sup>nd</sup> Charlie King. Motion carried with all in favor.*
- B. *Joan Funk motioned to accept the non-public minutes of 10-25-10 part A as written, 2<sup>nd</sup> Charlie King. Motion carried with all in favor.*
- C. *Joan Funk motioned to accept the non-public minutes of 10-25-10 part B as amended, 2<sup>nd</sup> Charlie King. Motion withdrawn.*

**2. Public Comment: none**

**3. Police Department:**

- A. Police Chief Scott Roberge reminded the public that during voting on November 2, 2010 there will be 15 minute parking in front of the Old Town Hall. Also, the winter parking ban is now in effect.
- B. **Taser Policy** – Scott reminded the Board that they had requested a taser policy before the purchase and use of the tasers within his department. The Board reviewed the draft taser policy. Gerry pointed out the section that stated the taser will not be used for coercion or punishment. Officer Scott Orlando explained that a taser can be used as a dry stun where the taser is being used for to inflict pain. Scott Roberge explained that the department will use the taser to force unruly individuals into compliance but not to inflict pain to coerce them. He then pointed out that he is unaware of any complaints against his officers for unreasonable force. Charlie asked for a definition of “passively” to be added to the policy. Paula asked where the threshold is for when the taser would be deployed. Scott replied that his officers are trained and would only deploy their tasers if a subject was physically threatening to the officer or the public

Charlie asked if there should be a threshold on the number of times a subject can be tased. Officer Orlando stated that their goal is to use the taser only once and then holster it but he could see circumstances where the taser might be needed twice. After the second time, if the subject is not compliant another resource would be used. Charlie asked if three times would be a reasonable limit and Officer Orlando replied that this might be difficult and the officer would be responsible for reporting why they tased an individual more than once. Scott Roberge added that he has heard of individuals fighting through a tasing and also, there are times when the probes do not penetrate efficiently so it would be needed again. Scott then stated that a three time limit would be reasonable for most circumstances. Charlie then stated he would like to see a guideline where youth under a certain age and elderly are not deployed upon. Scott stated their Use of Force policy clearly defines the way these age groups are dealt with.

Charlie then stated that within the document where it states the officer will wear latex gloves, it should probably read "latex gloves or their equivalent." Paula asked if the officers are trained to recognize subjects under the influence of drugs/alcohol and Officer Orlando explained what attributes they look for. Scott also explained that the officers have to provide a detailed report as to why and how they deployed the tasers and the tasers themselves store data as to the time and strengths of deployment. Paula then asked how often the officers will be trained on the tasers and Scott Roberge replied once a year all officers are trained on all weapons and defensive tactics and they all take monthly written exams within the department.

- C. K-9 Billing** – Scott explained that the vet for Connor has over the past donated their time but recently have begun to charge a minimal fee due to the tough economic times. The most recent bill was supposed to be \$500 but the vet reduced the bill to \$230. Scott explained that Connor has brought in over \$35,000 into the department over the past several years and those funds have been dispersed for other purchases. Paula suggested putting \$1000 away out of the drug forfeiture money for the K-9 bills and Scott replied he could certainly do that. Paula also suggested that Scott keep a list of what funds Connor brings into the town and what is expended on him. Scott stated that he will pay the \$230 vet bill through the drug forfeiture fund.

4. **Public Works:**

- A. Hauling & Waste Disposal RFPs** – Scott Hazelton provided the Board with the summary of the tipping fees and hauling figures to the various locations who accept waste. He spoke with Pinard Hauling and they would be willing to participate in a three month contract with the opportunity to extend one month at a time or longer

- B. Sign Package for Transfer Station** – Scott explained the Town is eligible for signs through the NRRA (National Resources Recovery Association) for the transfer station. He is currently reviewing the signage options and will forward his recommendations to the Board for the next meeting. He is also aware of a grant that is available to fund items related to recycling like signage, containers, compactor and possibly a hauling truck through NRRA. Paula asked if purchasing items prior to the grant approval inhibit our ability to submit it on a grant application and Scott explained no, as long as the invoice/purchase is no more than one year old. Charlie asked if the hauler is accepted as part of the grant would we have to purchase it and Scott replied no, we would not need to accept that approval.
- C. DOT Signs Package** – Scott informed the Board that he reviewed all the proposed signs and there locations and he supports the entire sign package. *Charlie King motioned to accept the DOT sign grant, 2<sup>nd</sup> Joan Funk.* Discussion followed in which Gerry asked what is provided and Scott replied they provide everything and install the signs and the Town is responsible for maintenance. Plus there is a 15 year warranty for the signs. *Motion carried with all in favor.*
- D. DOT Road Swap Legislation** – Paula pointed out that the bridge number on the legislation is cited incorrectly and Alan replied that he would make sure this correction is forwarded. Gerry asked if someone from the State can stamp or sign the road swap map so that it is official. Alan replied he would try to achieve this because it would be a good idea. Alan asked if the bridge number is corrected in the legislation would it be okay for him to find representatives to sponsor it and the Board was in consensus that would be okay. *Paula Proulx motioned to accept the proposed legislation put forth by NHDOT on the road swap contingent upon the bridge number being correctly identified, 2<sup>nd</sup> Gerry McCarthy. Motion carried with all in favor.*

- E. Scott suggested having an open house at the landfill on a closed day where they can hand out flyers to the public and show how the transfer station will work. Charlie stated that he would like to have a run through with vehicles first to make sure the proposed traffic pattern is going to work. The transfer station should be ready and open to the public prior to Thanksgiving. Scott then explained that the concrete approaches and off-ramp to the scales were designed to be flat to the scale by Northeast Scale thought he sub-contractor installed the concrete at slopes. The paving company had to apply additional asphalt to the scale site to make the area flat as designed. Scott has requested a copy of the plans from Northeast Scale so he can confirm the plans and therefore decipher who should be responsible for the additional paving. Also, NHDOT has given a verbal certification of the scales and Scott is awaiting the written certification.
- F. Alan explained that they would like to move the transfer station window stickers to the Town Hall to limit the number of transactions being done at the transfer station. They would also like to remove the sale of the pay per bag stickers from the transfer station. Alan proposed to have Barbara Gehres handle the window sticker transactions in the Municipal building. The discussion on the pay per bag stickers will continue.

**5. New Business:**

- A. Kyle Sanger, Boy Scout of Troop 188, asked for permission to build three picnic tables for Fernald Park and would like the Board's permission. The Board was in consensus that this would be a good idea. He provided the Chair with a letter of support. *Joan Funk motioned to allow the chair to sign the letter of support, 2<sup>nd</sup> Charlie King. Motion carried with all in favor.*
- B. Alan informed the Board that Bonnie forwarded several abatements for the Board's approval. The tax rate was approved and the tax bills are all going out. The Board asked for further explanation and a list of all the utility related abatements.
- C. Alan provided the Board with information regarding the Christmas lights. The electrician came in today and they discussed several plans for a timer for the lights. One plan for a rain tight timer for \$300 and a rain tight timer with electric eye at \$450. They also expect the maintenance of the lights to be about the same as last year at approximately \$700. *Gerry McCarthy motioned to install the rain tight timer with the electric eye for \$450, 2<sup>nd</sup> Charlie King.* Discussion followed where Paula explained she would favor this option because the parts can be individually replaced if something is to break. *Motion carried with all in favor.*

**6. Old Business:**

- A. **Wage & Class RFP** – Alan stated that he made the corrections to the RFP that were noted at the last meeting. Alan stated that the job descriptions, wage compensation plan maintenance and performance evaluation process could be removed from the

**B. Audit RFP** – The Board reviewed the draft audit request for proposals. *Joan Funk motioned to approve the RFP for auditing services, 2<sup>nd</sup> Charlie King. Motion carried with Gerry McCarthy opposed.*

**7. Updates:**

**A. Budget Review** – Alan suggested the Board begin their review of the budgets. The Board was in agreement to review the Recreation, Town Clerk and Water/Wastewater Budgets.

**B.** Alan reminded the Board he will be out of state next week. He would like to have Kathy Menici responsible for all day to day personnel issues and the Board agreed this would be okay. He also suggested the Board review the Town Administrator applications and choose the top candidates they would like to interview and then have Megan schedule those interviews. Alan reported that the background check on the proposed Work Force employee for Dale has gone out.

Alan stated that he contacted NHDOT in regards to the signage on Rte. 11 for the Downtown Committee and they indicated that several businesses took advantage of the TAPS program where they purchased a business sign and therefore NHDOT would not entertain further individual signs on Rte. 11. Charlie asked what the fee would be through the TAPS program and Alan replied that he would get further information.

**C. Charlie King motioned to lower the threshold from \$1000 to \$500 for all purchase orders that require prior approval temporarily, 2<sup>nd</sup> Paula Proulx.** Discussion followed where Gail stated she would not be in favor because she thinks the change should be made and kept and not be temporarily. Charlie stated that he would like to do it temporarily due to the budget constraints and also so the Board can take a closer look at the policy and not make a rash decision based on a few questionable purchases. Alan explained that he addressed the purchase policy at the last department head meeting. Alan suggested amending the motion to a time and date certain. *Charlie King amended the motion to have the threshold lowered until April 1, 2011, 2<sup>nd</sup> Paula Proulx. Motion carried with all in favor.*

**At 9:05pm, Charlie King motioned to go in non-public session under RSA 91A.3.II (b), 2<sup>nd</sup> Joan Funk. Roll Call – Paula Proulx (yes), Gail Ellis (yes), Charlie King (yes), Joan Funk (yes) and Gerry McCarthy (yes).**

**At 9:26pm the Board came back into public session and Paula stated the minutes were sealed with a unanimous vote.**

**At 9:26pm, Gail Ellis motioned to go in non-public session under RSA 91A.3.II (a), 2<sup>nd</sup> Gerry McCarthy. Roll Call – Paula Proulx (yes), Gail Ellis (yes), Charlie King (yes), Joan Funk (yes) and Gerry McCarthy (yes).**

**At 10:02pm the Board came back into public session and Paula stated the minutes were sealed from the non-public session were sealed with a unanimous vote.**

**At 10:02pm, Gail Ellis motioned to adjourn, 2<sup>nd</sup> Gerry McCarthy. Motion carried with all in favor.**

*Respectfully Submitted,*

*Brandy Sanger*

*Recording Secretary*

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Chairman Paula Proulx

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Vice-Chairman, Gail Ellis

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Joan A. Funk

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Gerald McCarthy

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Charlie King