

APPROVED and Unsealed 07/30/2018
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
LEGAL – SEPTEMBER 26, 2016

PRESENT: Kevin Federico, Vice Chairman
Gary L. Daniels, Member
Katherine Bauer, Member
Mike Putnam, Member
Mark Bender, Town Administrator
Darlene J. Bouffard, Recording Secretary

EXCUSED: Mark Fougere, Chairman

STAFF: Karen Blow, HR Director
Eric Schelberg, Ambulance Director

1. NON-PUBLIC SESSION. Selectman Putnam moved to enter into non-public session at 5:00 p.m. in accordance with RSA 91-A:3 II (e) – legal. Selectman Daniels seconded. All were in favor. Motion passed 4/0.

HR Director Karen Blow explained that recently a situation came up regarding employees with firearms. The town currently does not have a weapons policy and recently a new hire going through the background check acknowledged he was carrying a weapon at the police station. This is the first time this has happened in the interview process. Eric Schelberg called Karen Blow and asked if there is a policy and found there is not. During this process, Mr. Schelberg asked the person not to carry while on duty. Karen Blow reached out to the NH Municipal Association to gather information and they agree it is a tricky law. There is an article coming out next July/August in their magazine, which is attached to tonight's packet, but this particular instance concerns an employee carrying during work hours. Could a staff member that is assisting a person, which could be an agitated person, have their firearm taken by this person during a situation? The Personnel Committee wanted to discuss this and bring it to the Board of Selectmen for input. From the HR standpoint, the HR Department wants a safe environment for all employees. In NH we cannot dictate whether or not an employee carries. We could not tell an employee they cannot have their gun in their vehicle, however, we might want to say during work hours we request that employees not carry a weapon. The firearm could be kept in their vehicle, just not on the person during work hours. There are certain circumstances that it could be a termination option. This issue requires clarification at the local level. The government should consider keeping employees in a safe working environment.

Mr. Schelberg indicated this is the first time he has encountered this, that a potential employee has a license to carry. His concern is workplace safety. Altered mind functions might cause a person to grasp the weapon. Mr. Schelberg wanted to bring this issue to the Board of Selectmen for the reason of workplace safety. In talking with Attorney Mark Brett, who had an issue with a firearm being brought into the work place, it was brought to his attention and the person had every right to carry, but now Mark has changed his opinion for workplace safety and it is in the realm of prohibiting firearms at the work place. This is uncharted territory. Milford could be the test case, but Mr. Schelberg is very concerned about workplace safety for employees. Selectman Daniels asked about someone that might die during transport. The family gets disgruntled and goes into the ambulance facility, can the employees defend themselves? Mr. Schelberg said he would advise his employees to hunker down and stay in place. Selectman Daniels said all the mass shootings are in places that do not allow guns. There are two sides of the safety issue; by not allowing someone to carry you are opening up liability by not being able to fight back. Mr. Schelberg suggested that we should then have armed officers in every town facility. Selectman Daniels meant that you could lose an employee if it is a situation like a shootout. Mr. Schelberg is looking at it from the standpoint of employee safety in the workplace. Having a firearm in the ambulance carries more ability for a dangerous situation.

Selectman Putnam is against a policy and feels that everyone should be armed and be trained to bare arms. Mr. Schelberg has a concealed weapon permit but does not carry in the workplace. Vice Chairman Federico said the Personnel Committee has brought this forward and this is just the first one; in NH there is no ambulance service that permits an employee to carry a firearm in the back of an ambulance; it is a terminable offense. A policy was just put

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1 in that allows the ambulance employees to where stab vests to prevent a stabbing. Private EMS takes a different
2 view of the second amendment because of the situations that can come up. Vice Chairman Federico said it is ex-
3 tremely dangerous to allow an employee to carry a firearm while in the back of the ambulance because there are
4 very volatile situations that can occur. Vice Chairman Federico is against allowing the carrying of firearms in the
5 ambulance. Selectman Daniels asked if a police officer ever rides in the ambulance? Mr. Schelberg said occasional-
6 ly yes, but the person being treated would be handcuffed in that situation, noting we just do not know when the pas-
7 senger is going to snap. Selectman Putnam said there are items in an ambulance that could be used as a weapon. At
8 least if one person has a weapon they could defend themselves and the employees. Mr. Schelberg said the officer in
9 the back of an ambulance with a weapon also has a protective holster for the firearm. Mr. Bender suggested that the
10 Board think about this and talk again at the next meeting; we should talk about it in other areas of town as well. Vice
11 Chairman Federico indicated the Board needs to take a look at it and there is room for discussion.
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13 Selectman Bauer suggested the Board does not want to raise everybody's antenna on this issue either. Mr.
14 Bender noted that the ambulance personnel wanted to raise this issue for the Board to get guidance; we can all think
15 about it and come back.
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17 Selectman Putnam moved to come out of non-public session. Selectman Daniels seconded. All were in fa-
18 vor. Motion passed 4/0.
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20 Selectman Putnam moved to seal the minutes of this non-public session. Selectman Federico seconded. All
21 were in favor. Motion passed 4/0.
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23 **2. ADJOURNMENT:** There being no further business to come before this non-public discussion, the Board moved
24 into the public meeting.
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29 Gary Daniels, Chairman
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Mark Fougere, Vice Chairman

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33 Katherine Bauer, Member
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Mike Putnam, Member

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37 Kevin Federico, Member
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40 **PERMANENTLY UNSEALED BY The Board of Selectmen 07/30/2018; 5/0**