



APPROVED

Town of Plaistow - Highway Safety Committee
145 Main Street, Plaistow, NH 03865

PLAISTOW HIGHWAY SAFETY COMMITTEE MINUTES

MEETING DATE- Tuesday, March 17, 2009

PRESENT- Chief Stephen Savage, *Chairman*; Chief John McArdle, *Vice Chairman*; Sean Fitzgerald, *Town Manager*; Dan Garlington, *Highway Department Supervisor*; Leigh Komornick, *Town Planner*; Ernie Sheltry, *Citizens Representative*; Lisa Withee, *Citizens Representative*; and Dan Poliquin, *Selectmen Representative*

EXCUSED- Michael Dorman, *Building Inspector* and Dan Travaglini, *Citizens Representative*

ABSENT- None

MEETING CALLED TO ORDER- 2:00 p.m.

PUBLIC COMMENT-

No public present.

S. Fitzgerald welcomes everyone to the meeting, states it's his first full meeting and understands the importance of the Committee through the NH RSAs and other broader issues.

MINUTES-

Chief Savage would like to accept the minutes of the last meeting. D. Garlington motioned to accept the minutes of 02/10/09 and L. Komornick seconded the motion. All in favor except L. Withee who sustained.

OLD BUSINESS -

Revisions to Chapter 205 Vehicles and Traffic

Chief Savage handed out the revisions to Chapter 205 for review before any presentation to the Board of Selectmen and notes that D. Garlington already noticed Day Break Drive missing from the stop sign list.

D. Garlington comments that Sickel Drive at Joanne Drive is listed as a potential deletion and asks how it is changed at a Town Meeting.

L. Komornick states the Town gave it back to him by Grant but it is still a formal stop.

D. Garlington states it should be kept in.

L. Komornick agrees and asks about enforcement of stop signs if it is in the Ordinance.

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Chief Savage states that if it is in, you can enforce it but not the internal stop signs in parking lots. If somebody runs a stop sign in a private location and causes an accident you charge them with failure to yield to a right-of-way.

D. Garlington states that Sickel Drive intercepts with a Town Road.

Chief Savage agrees and also agrees to leave it listed.

Chief McArdle questions the maintenance of the list and whether or not it can be maintained in a different manner.

Chief Savage states that the Town has to adopt the stop signs according to the NH Statutes.

S. Fitzgerald states that if a stop sign is going to be posted it has to be approved by the governing body.

Chief Savage states that the stop sign has to be adopted and the list needs to be updated.

S. Fitzgerald doesn't feel it needs to be updated yearly but maybe every couple of years.

L. Withee believes Collins Court is missing from the list.

D. Garlington states that Collins Court was accepted by the Town after the original list came out. The list before it was updated was a public hearing forum with the Board of Selectmen for all stop signs.

S. Fitzgerald asks if it is consistent with DOT and whether or not we have to comply with DOT standards for stop signs and traffic management.

Chief Savage states there is probably one that doesn't, which is Dauntless but often times it is from the Board of Selectmen from a perceived problem in that location. Often the Board of Selectmen will ask him or the Committee as to the appropriateness of a stop sign. For the most part it is due to a new subdivision.

D. Garlington states that if the Town moves forward with any new roads the stop sign will be automatically accepted as well as the speed limit when the road is accepted.

L. Komornick suggests that they reference the stop signs on the master street map that is updated yearly.

D. Garlington suggests just maintaining the current list. The stop signs are listed territorial and not alphabetically on the list.

Chief Savage states it should be all inclusive and if there is a modified intersection there should be a stop sign or a stop bar. Asks D. Garlington how many are not signed properly.

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D. Garlington states that there are not many that are missing signs and stop bars are done every spring.

Chief Savage confirms the consensus is to add Collins Court to the list. All agreed. States they will make the addition then it will go to the Board of Selectmen for action.

S. Fitzgerald asks Chief Savage if Collins Court is his recommendation because as a Committee they look to him with regards to traffic safety.

Chief Savage states if he felt it was not appropriate he would say so. If a Town road intercepts another Town road or State road it should have a stop sign to avoid any gray areas about right-of-ways.

Chief McArdle questions if there is stop sign at Garden at Country Deli.

D. Garlington says there is a stop sign and it was from a special public hearing by the Board of Selectmen.

Chief Savage says there is a value to review this list annually to or semi-annually, due to so many changes that occur.

L. Withee asks why only certain roads are listed in the Chapter with speed limits.

D. Garlington states they are all by request.

Chief Savage states at some point every Town street will probably be posted at 25 mph.

L. Withee asked when it would occur.

L. Komornick states Wentworth Avenue was just done at the Committee's last meeting.

L. Withee states the speed limit needs to be enforced throughout the Town.

D. Garlington states that there are probably less than 5 Town roads that are still listed at 30 mph, such as Pollard Road and Old Road. The conversation went further about posting all the side streets, which he feels should be avoided.

S. Fitzgerald states that if you put too many signs up they become invisible.

D. Garlington states by Statute you cannot post any of the Town roads lower than 25 mph.

E. Sheltry says private roads you can list lower than 25 mph.

D. Garlington states you are dealing with two issues, one is the regulatory part and the second is enforcement. It is the same with no thru trucking, which is difficult to enforce.

L. Komornick asks if enough people call from a neighborhood would it trigger a temporary observation on speed.

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Chief Savage states it will and has been done.

L. Withee states the roads have become an extension of Route 495. On Forrest Street people go over 40 mph, and it is worse in the winter when the road narrows.

S. Fitzgerald asks how many speeding tickets are issued.

Chief Savage states that the stops tripled last year.

S. Fitzgerald states that it's not so much how many but where the trend is going. That enforcement can show a pattern, which is helpful to start measuring quantifiably the enforcement activities so you can really start seeing trends.

L. Withee asks if this is important to the Town.

S. Fitzgerald states you only measure the things that are important and apparently it's tripled and we need to start examining the data. It is helpful to him as a new Town Manager to really see the traffic incidents geographically and see where the stops signs are most egregiously violated.

D. Poliquin states that if you talk to a resident from every street in Town, speed is a problem. Doesn't believe you change every street in Town to 25 mph. People averagely drive 35 mph around Town, which is how people drive today.

S. Fitzgerald agrees that is the standard but it is fast in neighborhood roads. Most roads people drive 35 mph. States that you can debate everyone's disposition about traffic and where the problems are but by looking at traffic accidents and where tickets are written you can begin capturing the problems areas. You start enforcing in certain neighborhoods you are pulling over the neighbors.

D. Poliquin states that is the problem, and that Chief Savage stated it before, if you set up enforcement on a particular street from somebody's complaint you will mostly pull over people living on that street.

L. Withee knows Forrest Street is a busy road where she lives and it should be safe for her and her children. If you are going too fast you should be fined if it is over 5 mph over the speed limit and some of those people would be her neighbors. Safety comes first.

S. Fitzgerald agrees with her position and feels others do also, but speed is the nature of society. He sees no sidewalks on Main Street and in residential neighborhoods and feels in the spring there are probably a lot of people walking on the roads including Main Street, which is a highway. Wants to make sure people are safe and questions how to enforce safety, whether it's by signs, through grants, or by providing notices to neighbors reminding them to drive carefully.

L. Komornick states that there are mixed signals about sidewalks. People question who will maintain them and comments that they will only be used maybe 6 months of the year. Questions why people would not want their children walking on sidewalks.

APPROVED

S. Fitzgerald feels the Warrant Article on the sidewalks failed due to the current recession, and down the road it should pass.

Chief Savage states that a speed limit is not absolute on any particular road. There is nothing anywhere that says an Officer shall write a citation for anything over a posted speed limit. The Statute says you cannot drive at a speed that is greater than reasonably prudent. Even if a speed limit is 25 mph on a snowy day it could be too fast, but also on a sunny day if you write a ticket for 30 mph in a 25 mph, you may not win that case in the District Court.

L. Withee invites anyone to walk the roads in the morning to see what she views everyday and says speeding has become a vicious cycle.

D. Garlington agrees, as he works on the roads, and comments it's part of the reason why laws have changed for yellow lights to be lights you are required to yield to. States it is not an easy solve.

S. Fitzgerald says the Town is a border Town, a busy commercial center, and a gateway to NH. There are 27,000 cars on Route 125 everyday and they don't just stay on Route 125. He has not seen any traffic patterns but if a study was done you would probably see 1,000s of cars on Forrest Street every day. Needs to get a better handle on what tactics can be taken to help make it safer for residents.

E. Sheltry comments that the reason for speed is because most people are running late. It is part of the problem, which you cannot solve.

L. Komornick comments that it is great to have a Citizen's Rep on the Committee who is using the streets for other reasons that keeps reminding us of the problem.

L. Withee comments that she was walking on Sweethill Road once and a women driving was speeding and she asked her to slow down. The women turned around and rolled down her window and told her to walk somewhere else.

Chief Savage states that if you drive on Route 125 within 5 minutes you will see road rage.

S. Fitzgerald sees a lot of people walking and feels more folks will be out walking for exercise and we should give them safer roads and look at strategies that will help keep them safe.

Chief Savage asks for any more observations on the list.

L. Komornick states that Haseltine Street should stay because one end of the street still has a stop sign.

Chief McArdle states the other end is listed separately as Haseltine Street at Route 121A.

Chief Savage states Haseltine Street at Route 125 should be deleted and Old County Road at Route 125 should be deleted also since there is a traffic light there now.

D. Poliquin questions if there is a stop sign at Fran Avenue and Kelly Road.

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D. Garlington is not sure and believes it might have to do with the visibility of it but notes that there is a stop bar at that location.

D. Poliquin also states that Dustin Avenue at Route 125 should be changed to Route 121A. Also, Park Avenue at Elm Street should be deleted because it is going to stay one-way. Lastly, Lovers Lane has a misspelling that needs to be fixed.

L. Komornick states that Lovers Lane is not astrixed and questions if the astrix is needed.

D. Garlington states the astrix goes all the way back to the original list and can be removed.

Chief Savage asks if they should remove it.

D. Garlington states that the ones that have the astrix had stop signs when the list was first created. When a stop sign is knocked down they are on a list to be fixed, which is worked on every year.

Chief Savage states he will use his Chapter 205 as the edit list to turn back to Dee for changes.

E. Sheltry comments how people dress in dark clothes when walking at night, which makes it hard for drivers to see them.

Chief Savage suggests putting an advisory on the cable station or Town website.

S. Fitzgerald offers to sit with the Chief on a cable show to talk about pedestrian safety and the importance for people to understand it is a busy and active community.

Chief Savage suggests for now to put something on a scroll on the cable station.

S. Fitzgerald asks if the school district can also scroll something on their station.

L. Komornick states that part of the sidewalk grant was passing out educational flyers to residents.

Chief Savage will get information on the scroll on the local cable station.

Chief Savage asks if there are any other changes to the Chapter 205.

Chief McArdle asks about the Country Deli parking lot and if the road is actually Southeast Terrace.

D. Garlington is not sure, spoke with Larry Haggett and he didn't bring anything to his attention.

Chief McArdle understands that the only reason the yellow line divider is down in the parking lot is because at some point it was referred to as Southeast Terrace.

D. Garlington is not aware of it.

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L. Komornick questions if Article II Speed Limits where it states [Approved 1970 Town Meeting] is moot at this point since they have all been approved at different times, or is it for just the Article.

Chief Savage wants to make sure that before it goes to the Board of Selectmen and to print that it gets reviewed for editing and typos.

S. Fitzgerald confirms that the Board of Selectmen will have to authorize the changes and if Chief Savage will present it to the Board of Selectmen.

Chief Savage confirms he can do so.

S. Fitzgerald feels Chief Savage should go before the Board of Selectmen, as it would be helpful if they want to speak with him about issues such as the stop signs.

Chief Savage feels a draft should go to the Board of Selectmen first for review.

D. Garlington states that the Cottonwood Road area will probably bring up discussions.

L. Komornick asks if any of the items being changed, if a note will be made next to it stating when it was amended and approved by the Board of Selectmen.

Chief Savage agrees the Committee should make such a note.

D. Poliquin states in the same section under C, should be changed to read the same as the others. The section is being changed enough that it is not the article approved by the 1970 Town Meeting, it is amended and feels you don't have to put it when it was amended.

L. Komornick feels you do because it shows people when it was changed.

D. Poliquin still recommends changing Article Section C to eliminate the dollar amount and change it to read, "Any person violating this section shall be prosecuted in a Court of law and fined a sum of money determined by the Prosecutor."

Chief Savage suggests it read "..... to be determined by the Court of Law.", as it shouldn't be the prosecutor determining the fine. The State Statute says a violation level cannot be more than a \$500.00 fine. The Prosecutor can make a recommendation but it is the Judge's final decision.

D. Poliquin states that they all need to be changed in that section.

S. Fitzgerald asks who gets the fines.

Chief Savage states that local ordinance fines come back to the Town.

S. Fitzgerald questions what a reasonable detraction would be.

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Chief Savage states again that a local parking ordinance fine money comes back to Town and when you set the speed limit on the Town Road, it is still a State speeding ticket, and that revenue goes to the State.

S. Fitzgerald questions how many parking tickets were issued last year.

Chief Savage asks S. Gibbs how much revenue was received, which would have to be looked up.

S. Fitzgerald asks when the last increase was and asked if \$25 was enough.

Chief Savage states the parking ticket fines changed about a year ago.

L. Withee asked where the parking tickets are issued.

Chief Savage states they are issued everywhere such as TRHS parking lot, fire lanes, handicap violations, and winter parking bans.

S. Fitzgerald feels \$25 is low for a parking ticket.

D. Garlington feels this conversation should take place at the Board of Selectmen level.

Chief Savage comments that they are worth reviewing but before changing fines would like to look at what he has left for parking tickets because printing the tickets is expensive and he would want to use the current tickets the department has before changing the fines.

S. Fitzgerald would like to look at the parking fines and discuss it with the Board of Selectmen.

L. Komornick asks if specific dollar amounts belong in the sections.

D. Poliquin states that if the prosecutor is determining the fine most of the sections need to be changed to reflect it.

Chief Savage states he will make the change and take the money values out and have it read, "Any person violating this section shall be punished by a fine to be determined by the Court."

Chief McArlde asks if we want a fee and fine schedule as a recommendation from the Board of Selectmen for the prosecutor to have as a reference.

S. Fitzgerald agrees and should put something in it saying not less than \$50 or otherwise determined by the prosecutor. However, it's important to give the prosecutor discretionary judgment on this.

D. Poliquin states that if the revenue is not coming to the Town, then why set a fee schedule.

S. Fitzgerald states he is looking at the parking fines not speeding fines.

L. Komornick asks about child restraints.

APPROVED

Chief Savage states it is State law. Also states on speed limits that the Administrative Office of the Courts set the speed for waivers and then it is up to the Judge. Feels should just put, "Any person violating this section shall be punished by a fine to be determined by the Court.", and will make the change all the way through and speak with S. Fitzgerald about parking tickets.

Chief McArdle speaks about section 205-23, Establishing; posting; removal of vehicle, which should be changed from Board of Engineers to Fire Chief. Also third sentence down shall read "provide" not "proved". Finally, end of last sentence should change "removal of vehicle" to "removal and storage of vehicle".

L. Komornick points out a typo in Section 205-25 Hale Spring Road. Should read "Through trucking is...".

Chief Savage states Section 205-25 fine is established by the Board of Selectmen, since it's a local ordinance.

D. Poliquin states you need a good fine amount as a deterrent.

Chief Savage states that fine is up to the Board of Selectmen who will probably ask the Committee for a recommendation.

D. Poliquin feels it should not be less than \$100.

S. Fitzgerald needs to look at revenue particularly this year, get it before the Board of Selectmen, and do it in a way that better defines public safety, traffic patterns, and roadway controls.

L. Komornick asks if it would be changed on all of them.

Chief Savage suggests wording it to say, "... Subject to a fine not less than \$100." Feels it is worth a discussion with the Board of Selectmen.

S. Fitzgerald states that trucks on some of these roads will hurt the roads and asks if Old County Road is rated for trucks.

D. Garlington states it is related similar to other roads, that it is more political to keep trucks off the road and the road is very narrow.

Chief Savage states that last year the Town collected \$8,200 in parking violations, about \$2,600 in false alarm fines, and about \$5,900 for accident reports.

L. Komornick questions section 205-29, Jesse George Road. Questions if it should still state, "...by permission of the Police Chief."

Chief Savage suggest leaving it for now, until such time a divider is put in and then it may not be an issue because it was the buses that were using it crossing to get to TRHS.

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L. Withee states that the buses have to pick up kids also who live on that road.

Chief Savage states that there is a value to review these Chapters every so often.

D. Poliquin confirms that any heading changes should also reflect in the context of the description.

L. Komornick requests for some time to review the Chapter.

Chief Savage suggests everyone review the Chapter and contact S. Gibbs with any changes.

S. Fitzgerald asks if there is a fee schedule for police tickets, fees, and fines on paper that can show us 2008 and recommend and proposed.

Chief Savage comments he can provide the current structure for parking tickets.

S. Fitzgerald would like to look and see how many tickets have been written for no thru trucking and other fines to view and see how they affect the Town so going forward it can be a way to account and measure.

Chief Savage asks everyone to get back to S. Gibbs with any changes in the Chapter and will make the changes.

L. Komornick suggests everyone complete reviewing it within the week.

NEW BUSINESS -

"Transportation Improvement Program", program listing.

L. Komornick passes around a list of 2009 Projects for Possible Submission to Rockingham Planning Commission for Inclusion in the Ten-Year Plan. States she provided the list to S. Fitzgerald a while ago but has not heard back on whether or not the Board of Selectmen have addressed it or not. Knows that the Committee has been involved in speaking about dangerous intersections and some of the projects listed are based on the Committee's recommendations. Would like to have the Committee review the list. Every year or so the Regional Planning Commission solicits projects to go on their long and short range plans. The Town has not submitted new ones because they were working on Route 125 projects and suggest adding some projects to the list. States item #9 is being looked at through the Federal Stimulus Funding for Garden Road but feels we should keep Westville Road on the radar.

D. Garlington states that on the next round of inspections it will probably show up on the red list.

L. Komornick would like the Committee to make a recommendation to the Board of Selectmen that could then go the Rockingham Planning Commission.

D. Garlington asks if it must be looked at today.

S. Fitzgerald would like to take time to look at the list and discuss with the Planning Committee and also do some costing out of some of the items. Asks about the study on Main Street.

APPROVED

L. Komornick states it's #5 on the list.

S. Fitzgerald states it has already been outlined with Rockingham Planning Commission and asks about traffic in the area of the Village.

L. Komornick states that she didn't think that area could be honed in on until after the traffic study, which is what DOT stated when they came down for the onsite inspection of each intersection. They recommended doing the overall corridor study. L. Komornick suggests moving #5 on list to #1 as we need to prioritize the list.

S. Fitzgerald asks Chief McArdle what priority he would have as a Department on the list.

Chief McArdle suggest North Avenue and Main Street be listed separately.

L. Komornick feels the list covers all the intersections discussed at a prior meeting and should be on the list to become future projects. Offers to do a problem statement for each location.

Chief Savage asks if #7 is moot due to the lost of the grant.

L. Komornick states no and would like to keep because the DOT is aware the match failed and asked if we had any other source of funding. She spoke with M. Dorman and there might be impact fees to assist with funding.

Chief Savage asks if it is a conflict with the voters' decision.

L. Komornick doesn't feel it is a conflict. The Warrant Article was just for funding.

D. Poliquin states the Warrant Article was just for funding. If funds become available, we should still be able to go through with it.

S. Fitzgerald will look into it further.

NEW BUSINESS -

Sidewalk Grant for Greenough Road.

L. Komornick advises everyone that they passed out 1,200 surveys to the TRMS recently and should be receiving the responses soon.

L. Withee suggests if you want to get the surveys back to possibly send an alert out.

S. Fitzgerald feels 1,200 surveys is too much.

L. Komornick says it is done, which was required by the Grant and that she will do a report that they were distributed and what the return was.

Chief Savage says no matter how many response you get back, it doesn't matter, as long as they were sent out.

APPROVED

OLD BUSINESS -

NH DOT placing an additional no u-turn sign on Route 125 southbound after the median by Chandler Avenue.

Chief Savage states he has not had the opportunity the last few days to check and see if it has been done. DOT did say they would look at it and then post it. Just not sure if they looked at it yet and will keep on it.

E. Sheltry believes it is posted and will drive by it today to take a look.

Chief Savage asks if there is any other business or issues.

ADJOURNMENT-

L. Komornick makes a motion to adjourn, seconded by E. Sheltry, none opposed all in favor.

NEXT MEETING DATE –date and time be determined.

Respectfully submitted,
Sarah E. Gibbs
Recording Secretary