



**City of Keene**  
**New Hampshire**

**BICYCLE PEDESTRIAN PATH ADVISORY COMMITTEE**  
**MEETING AGENDA**

**Wednesday, August 14, 2019**

**8:15 AM**

**City Hall, Second Floor**  
**Second Floor Conference Room**

**Members:**

Dillon Benik, Chair	Charles Redfern
Drew Bryenton, Vice Chair	Linda Rubin
Brad Dufresne	Todd Horner
Christopher Brehme	David Souther, Alternate

- 1) Roll Call
- 2) Adopt the Rules of Procedure
- 3) July 10, 2019 Minutes
- 4) Old Business
  - Downtown Bike Racks & Winter Parking
  - Fall Bicycle & Pedestrian Counting Dates
  - Dedication of Path System Section (Thom Little)
  - Public Outreach and Events Subcommittee
  - Arts and Culture Corridor
- 5) Project Updates  
(Note: BPPAC Master Plan Documents available on google drive)
- 6) New Business
  - Items to be included for next meeting
- 7) Adjournment

Next meeting date – September 11, 2019



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**Staff:**

Will Schoefmann, GIS Technician  
Kürt Blomquist, DPW Director

**Members not present:**

Linda Rubin

**1. Roll Call**

Chair Benik called the meeting to order at 8:15 am and roll call was conducted.

**2. Rules of Procedure- Tom Mullins**

Mr. Mullins stated that a number of years ago they decided to standardize the rules of procedure of boards and commissions as they discovered that legislative bodies were not always conforming to rules and regulations. He said as a public body, the City has a right to create various boards, commissions and committees to help the City operate (both quasi-judicial and legislative bodies). He explained that the difference between legislative and quasi-judicial bodies is that the latter have a higher risk factor as they are basically judging applications that come before them and have greater decision-making power. Mr. Mullins stated that BPPAC is a legislative body and the risk factors are lower as decision-making does not typically end up in the Superior Court. Nevertheless, he said, BPPAC is still a legislative body and people are not always accustomed to operating in a legislative

environment. He said in the private sector, business can be conducted by email, phone or personal discussions, however, in a public body certain requirements must be followed according to RSA 91A (“Right to Know” law). For example, meetings for public bodies must be advertised 24 hours before a meeting, meeting in a public location and the public has the right to attend, as well as other particular requirements.

Mr. Mullins noted the Rules of Procedure and encouraged members to read them. He said they lay out the road map for what is required under state law for the operation of legislative bodies, meeting requirements, minute requirements and quorum. He said in connection with the quorum, the City has changed the rules a bit from prior iterations as there were some problems encountered. He said each body is allowed a certain number of bodies by City Code, for example, BPPAC can have 9 members, therefore quorum is 6 (majority plus one). He said it used to be that you could have a quorum of the number of appointed members instead of the number of allowable bodies. He said it became difficult administratively to track and make determinations if there was a quorum or not and that became problematic as public bodies cannot operate without having a quorum. He said minute-takers leave after 15 minutes if there is no quorum. Mr. Mullins stated that a quorum must include individuals physically present in the room so for BPPAC, there needs to be at least 6 people in the room. He stated that they can have people appear through telephonic conversations, however, you cannot use that individual to make a quorum. He noted that is a State law and not a City law.

Mr. Mullins pointed out that on the last page, paragraph 15, there should be no reason to go into a non-public session but if they should, Mr. Schoefmann must be informed beforehand as there is a specific process that is required. He pointed to paragraph number 17, the creation of subcommittees, as it is important to remember that subcommittees of an advisory body are themselves public bodies so they are subject to the same rules and requirements as the public body. He said if a subcommittee is created they must move through the process, charge and purpose of the committee and report back. He said individual members of a body can go out and collect information, perform some research and bring information back, but as soon as there are two people doing that, the problem is that the information is being synthesized non-publically before coming back to the public body and that is essentially creating an advisory committee that is not otherwise in compliance with the statute.

Mr. Mullins stated that members cannot communicate outside of their meetings either by email or personal meetings about decisions or issues concerning the public body. He said that is important to not to do that and people do not like that but that is the point behind a public body. He said if two people get together that is fine, but if a number of people come together in larger groups they are inadvertently creating a quorum and that is not permissible.

Mr. Mullins recommended that members read the Rules of Procedure and they will expect a motion at the next meeting. Mr. Schoefmann asked for clarification about how alternates factor into the quorum. Mr. Mullins said that alternates are important but they do not factor into the quorum requirements. However, if there is an absent member, an alternate can be appointed in that place, and alternates can be used to make a quorum (BPPAC quorum would be 5 to be safe).

Mr. Mullins left the meeting.

Mr. Schoefmann stated that they can entertain a motion to adopt the Rules of Procedure on the agenda for next month.

### 3. Approval of June 12 minutes

Chair Benik moved to accept the June 12 minutes with revisions, Mr. Dufresne seconded and the motion passed unanimously.

#### *Revisions are as follows:*

- Remove Chair Benik's name from June 12 minutes as he was not present at the meeting and replace his name with Vice Chair Bryenton.
- Change meeting start time from "PM" to "AM."

### 4) Old Business

#### **- Downtown Bike Racks & Counting Updates - Thom Little Follow up - Public Outreach and Events Subcommittee**

Mr. Schoefmann stated that the bike racks were put up according to the Department of Public Works' (DPW) plans and they will accept feedback from BPPAC members at the end of the summer. He said Mr. Blomquist will provide feedback after the season as well and they can also discuss winter parking sometime in August and September. He stated in the meantime they were discussing counting of the bike racks and perhaps in August they can schedule some counts of rack usage or a quick survey of the downtown area to determine service levels for each rack.

Mr. Blomquist stated that the service levels at racks appear to be rotating. He said in some areas the bikes just sit, however, they have not had any complaints from merchants yet and only one complaint from a musician as it is taking up his space at the Corner News. Mr. Bryenton asked if there are specific counting requirements and Mr. Schoefmann replied that he will look into the bike rack counting standards. Mr. Horner asked if there are racks that DPW still has that have not yet been deployed and Mr. Blomquist said he does not think so as they are down to the single loop racks and most of the others are out. Mr. Schoefmann said there are a good variety of racks out and Chair Benik agreed that he saw racks in usage during the downtown Walldogs event.

Mr. Redfern stated that Pathways for Keene (PFK) bought a rack for the City to be used along the trail and it was never put out. He said Mr. Bohannon told him that they would like to use it at the library. Mr. Blomquist said the library just opened so he is unsure and he can ask Mr. Bohannon.

#### **-West Street Pedestrian Counts**

Chair Benik said that he will give his pedestrian count sheets to Mr. Schoefmann. He asked if they collected enough counts. Mr. Schoefmann replied that they got a good cross-section and covered the minimum goals of providing a baseline along the West Street corridor to collect data for future decisions, make more informed decision and bolster any projects that might come out. He said the National Initiative website Alta Planning Design has not been updated this year but they can perform the counts on the same week in September as last year for consistency.

Mr. Schoefmann stated that he has not heard anything about services for Mr. Little and Mr. Redfern stated he has not heard anything either. Mr. Redfern said that the Mayor spoke about Mr. Little at the Four on the 4<sup>th</sup> event and honored him with a moment of silence. Mr. Schoefmann said that Mr. Bohannon suggested dedicating a portion of the trail section between Emerald and Island Street as "Little Way" in memory of Mr. Little. Chair Benik suggested adding the item for discussion to next

month's agenda. Mr. Redfern noted that there are segments within each trail which are named separately so there are precedents for naming the segments individually. Mr. Schoefmann agreed that Appel Way has a sign as well as other locations.

### **-Public Outreach and Events Subcommittee**

Chair Benik asked members if they would like to move forward with the subcommittee idea. Mr. Redfern added that he thinks it is important to let the region know that there is a multimillion dollar facility being maintained very well by the City of Keene and he is in support of public outreach and education. He said maps are in high need and the City's mobile app is available and he proposes creating a subcommittee to create community awareness about the trail system. Mr. Redfern stated there were volunteers from BPPAC present at the July 4 event, however, there was no table set up for BPPAC to inform the public about the trails, priorities and projects and there is a good amount of community interest. He proposed creating a subcommittee of 2-3 people to take on that role. Chair Benik said he is in favor of the subcommittee as well to education new students on the trail system and other benefits to the town. Mr. Bryenton asked if PFK can field those sorts of questions to the general public. Mr. Redfern said they can, however, they are sharing BPPAC's information and it would be beneficial for committee recruitment as well as to make people aware that there is a committee within the City that advises City Council. He said PFK is a fundraising organization and can donate money towards the creation of maps and materials.

Mr. Bryenton asked Mr. Schoefmann about his knowledge of the Rules of Procedure for the creation of a subcommittee and Mr. Schoefmann stated he has done it before and it requires someone taking some notes for minutes. Mr. Horner asked if having two committee members organizing an event does that breach the Rules of Procedure and Mr. Schoefmann said he would check in with Mr. Mullins, however, as long as they are mindful of how they go about business and decision-making they should remain in compliance. Mr. Benik asked who is interested in being on the subcommittee. Mr. Redfern suggested Mr. Horner as he is regionally-focused. Mr. Schoefmann added that in the past when they had groups working on the projects list and ranking projects, he released two notices to cover their bases on meeting requirements for the full meeting and the subcommittee meeting. Mr. Lindquist suggested that a couple of people put together the charge for the August meeting and then appoint people at that meeting. Mr. Horner agreed with formalizing the subcommittee and a complimentary discussion may focus on how the subcommittee goals fit into the larger BPPAC goals over the next year. Chair Benik agreed that they do not want to duplicate work and they need to decide if they can accomplish the same goals within the larger committee. Mr. Redfern said he would develop the charge. Chair Benik agreed that in August they get the charge and discuss it and then in September they can agendaize the subcommittee and perhaps implement it in October.

### **5) Project Updates (Note: BPPAC Master Plan Documents available on google drive)**

**-Bicycle Mayor-** Mr. Schoefmann stated that the Bicycle Mayor, Ms. Manion, is in the process of wrapping up the Safe Routes to School grant project. He said Ms. Manion hand-distributed surveys on infrastructure that was painted in the Pako Avenue neighborhood and already received a number of responses that will be reported out to the Department of Transportation for the non-infrastructure project. He said Ms. Manion taught Safe Routes programming in the Keene Middle School and then implemented a Bike-Walk to School event and it was a success. Mr. Horner added that Ms. Manion informed him that almost 10% of the school population participated. Mr. Schoefmann said Ms. Manion did a t-shirt contest for a design, produced homemade educational videos and revamped the toolkit for starting a Safe Routes to School program which MAST is interested in spearheading for

other schools. He said maybe next month he can do a brief on the materials or place them on the Google Drive.

**-Downtown Revitalization Project-** Mr. Blomquist stated that the Downtown Revitalization project will be kicking off this fall and they are working on how it will align with the Arts and Culture corridor. He said that project is led by the Monadnock Economic Development committee (MEDC) and they are looking at a pavilion type facility on the MGM Keene State dirt lot. He said the new skate park will also be part of this project. They are also looking at picking up the St. James store and potentially converting it into maker- space. Mr. Blomquist is there is a concept of closing Gilbo Avenue between Main Street and Wilson, St. James Street, as well as interest in purchasing Railroad Square from the City. He stated that they want to do some improvements on that property, for example, build a small building there that would be both maker-space and residential space, as well as putting a stage behind the Monadnock Co-Op. Mr. Blomquist said they are planning to hold public forums sometime this summer.

Mr. Redfern asked how the trails will be preserved within concept of these new economic development plans. Mr. Blomquist suggested that Mr. Redfern speak with Mr. Dugan for further information. Chair Benik asked if MEDC is still meeting and Mr. Blomquist said there is an Economic committee, as well as another group being put together for this specific project as they are using new market tax credits. He said he is just passing on the little information he has about the project and encouraged members to attend meetings and forums in the future. He explained that new market tax credits is a financing process that allows private investors to invest and receive certain levels of credits back for use of that money. He said MEDC created an LLC that manages and implements the Arts and Culture Corridor project. Mr. Horner added that there is a lot of buzz about the project, however, it is still pretty high level and conceptual at this point. Mr. Redfern stated that if they remove the roads they will need to accommodate bicycles and pedestrians. Chair Benik encouraged members to do their homework and attend a few meetings. Mr. Schoefmann stated that MEDC was initially responsible for the rail trails in the past in terms of the space and development of the space. Mr. Redfern agreed but stated that they have not reached out to BPPAC at all regarding their plans and how they might impact the trail system. Mr. Schoefmann said that organizers had asked the City for maps about the layout of the downtown area. Chair Benik suggested they add an item to next month's agenda and discuss it more then.

Mr. Blomquist stated that he will keep BPPAC posted about the Downtown Revitalization project as one of his goals for that project is to have an idea for economic and transportation plans to submit a grant by next July for a construction project in 2022.

Mr. Bryenton asked Mr. Blomquist for an update on the Park Avenue loop. Mr. Blomquist stated that the proposal is still sitting at DOT as they are waiting for the NEPA environmental review. He said the City Engineer sent another round of information last night and he is hoping they will approve preliminary plans late next week so they can move on the final design. He said it will probably be a split project and one item they want to get done this year is the replacement of the pedestrian crossing at Arch Street this fall.

Mr. Redfern stated that the TAP grant award for Park Avenue loop project which included Ammi Brown Road which was submitted four years ago and based on costs at that time. He said he is concerned about what the cost will be in today's dollars. He stated that all of a sudden they have come up with the idea of fixing traffic lights and crossings and that seems like a tax-payer, City-type project. Mr. Blomquist replied that these improvements fit perfectly within the TAP project as they

are pedestrian facilities. Chair Benik noted that that the crossing can use some work and asked what the plan is. Mr. Blomquist replied that they will aim to pull down the old flashing beacon and move crosswalks back away from the intersection. He said they will then install rapid flashing beacons (RFBs). He stated that they do not yet know how funding will shape out but there might be some additional TAP money from other projects or it might be funded entirely locally. He said he is concerned about projects being over budget but right now he is hoping to get the approval as the proposal has been at DOT for almost five months and the stalling is not on the City's end.

6) **New Business- Items to be included for next meeting**

- Creation of a subcommittee
- Fall pedestrian counting
- Bike rack usage counting
- Approve Rules of Procedure
- Discuss a Memorium for Thom Little

7) **Adjournment**- Chair Benik adjourned the meeting at 9:10 am.

**Next meeting date – August 14, 2019**

Respectfully submitted by,  
Ayshah Kassamali-Fox, Minute-Taker  
Additional Edits by,  
Will Schoefmann, GIS Technician,  
Community Development

Project	PRIORITY	Master Plan Project #	Status	Budget *		Schedule			Updates (changes and relevant updates)
				Cost	Status	Start	Finish	Status	
Master Plan	N/A	N/A	Working	City Staff	N/A	Spring14	Fall 2018	Behind	Introduction and Background available for BPPAC Review, Trail Specific Maps and details regarding North Bridge inserted. Developing a scope of work and seeking funding to hire a consultant to complete the plan.
Jonathan Daniels Trail Maintenance	N/A	BE4	Planning	25,000.00	Even	Summer20	Fall 21	N/A	\$25k set aside in CIP FY' 21
Bike Racks	N/A	BE28	Working	N/A	N/A	ongoing	N/A	N/A	Bike Racks set out by DPW - downtown plan attached to June Agenda/Packet. <b>BPPAC to suggest Winter Parking Locations</b>
Lighting	N/A	BE28	Completed	City Staff	Even	complete	N/A	On Schedule	Pathways for Keene are making an additional donation this year to the City. Proposal is to light Appel Way.
Complete Street Grant 2017-18	N/A	N/A	Completed	\$10K	Even	complete	May-18	On Schedule	Lining has been redone as part of DPW's road striping budget. Project signage has been installed. City Staff needs to follow up on the metrics with SWRPC including Bike Counts in the project area, a final PSA, accident research. <b>Lack of funding for these facilities is an issue in the striping budget</b>
NHDOT TAP Grant 2018	N/A	BE22	Submitted	\$674K	N/A	Winter 2018	Summer 19	On Schedule	City of Keene has been selected as a TAP grant recipient for Complete Street improvements to Marlboro Street that tie into other planned improvements, infrastructure, economic development goals and the Cheshire Rail Trail. Agreement recieved from NHDOT for Manager's Signature Monday 5/6.
Bicycle Mayor	N/A	N/A	Working	Safe Routes to School	Even	Winter 2018	Fall 2019	On Schedule	Keene Middle School - Safe Routes to School grant for education and outreach events and updated safe routes tool kit document. Bicycle Mayor is wrapping up the project with survey and presentations to MAST and City Council. Event was a resounding success with 60 kids walking/biking on May 15!
<b>MASTER PLAN PROJECTS</b>									
Cheshire Rail Trail - Park Ave. Loop	1	BE0	Working	\$411,615.51	Even	Spring19	Fall 19	Behind	Engineering division of DPW is managing this project now. Preliminary Engineering Plans and Report as well as NEPA review approved by NHDOT/FHWA. Anticipated construction 2020. ROW discussions and negotiations underway with abutters. Easement and trail resolutions passed by City Council.
Access Point & Connectivity Analysis	2	BE13	Planning	KSC Students	N/A	Fall 2018	Dec-18	On Schedule	Master Plan top 5 project. Staff is working with a Group of KSC Geography Seniors in the capstone seminar project to help analyze connectivity and develop a Complete Streets "report card"
Wayfinding	3	BE15	Planning	City Staff Unknown	N/A	Planning	N/A	On Schedule	Continued development of the downtown "pedestrian" level wayfinding is being conducted. What is BPPAC's input? Trail and in street level wayfinding thoughts/plan?

Complete Streets Assessment	4	BE20	Working	City Staff	N/A	ongoing	N/A	N/A	Master Plan top 5 project. KSC Geography Students conducted an assessment of City Streets based on their Complete Street designations and current layouts. See "Access Point & Connectivity". A report is available via google drive. Student presentation at regular June meeting.
Sidewalk/Pedestrian Connectivity	5	BE21	Planning	City Staff	N/A	Planning	N/A	N/A	The Engineering Division, Department of Public Works has an app available to them and have completed 65% of the condition assessment of all City Owned sidewalks for Spring 2017.
West Street - Complete Street	6	BE26	Planning	City Staff Unknown	N/A	Planning	N/A	N/A	Designated as a Gateway Street in the Complete Street Design Guide. BPPAC discussing interim and long range solutions for bike/ped facilities along the corridor. BPPAC began 2018 bike/ped counts for middle section of West Street in March and May counts compiled. <b>September 7-14 dates to be scheduled. Seeking volunteer students to assist from KSC.</b>
Cheshire Rail Trail Phase 4 - Transportation Heritage Trail	7&8	BE2, BE5	Planning	\$ 2,564,500.00	Even	N/A	N/A	N/A	Project submitted as a supplemental CIP - unfunded but in the plan book. Project includes from Eastern Ave - 101, Bridge to Span 101, improvements to Old Stone Arch Bridge and potential crossing at Swanzey Factor Rd.
South Bridge, Ashuelot RT Gap	9	BE16		City Staff, KSC	N/A	Planning	N/A	N/A	Pave or surface the gap between the old Railroad Bridge on the Ashuelot Rail Trail and South Bridge
Main Street (Complete Street)	10	BE18	Planning	City Staff	Under	Planning	N/A	On Schedule	Main Street is an icon to the Keene community and in need of multimodal transportation overhaul. DPW has a downtown revitalization CIP that is multi year. <b>KSC Crossing in process of completion, in street facilities issues (bike lanes, sharrows and bike boxes) How does BPPAC fit in and provide input?</b>
Emerald Star (Trail Info Hub)	11	N/A		City Staff	N/A	Planning	N/A	N/A	Concept of an "Emerald Star" or trail system that has a centralized point for gathering and trail system information. Kiosk/visitor center included.

ITEMS WITH UPDATES

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ITEMS WITH UPDATES

**City of Keene**  
**NEW HAMPSHIRE**

**BICYCLE PEDESTRIAN PATH ADVISORY COMMITTEE**

**Rules of Procedure**

1. **Meetings:** Meeting times and dates are to be determined by members of the Bicycle/Pedestrian Path Advisory Board (hereinafter “Board”). All meetings must be open to, and accessible by, the public. Meeting times and locations will be posted at least twenty-four (24) hours in advance of any such meeting in two (2) appropriate places, one of which may include the City’s website in accordance with RSA 91-A:2. At least three (3) meetings shall be held each calendar year.
2. **Minutes:** Minutes of such meetings shall be kept in accordance with RSA 91-A:2, and shall include the following: the name of the Board; date, time and location of the meeting; the members present; the members absent; the time that the meeting was called to order and by whom; motions or other actions taken including who made the motion and who seconded; who voted and how; who recused and the reason for recusal, and whether the action passed or failed; the names of persons appearing before the Board; the subject matter discussed; the time the meeting adjourned; the name of the minute taker. If there is no minute taker specifically assigned to the Board, the Chair shall designate an appropriate individual for this purpose. Within 5 days of the close of the meeting of the Board, the minute taker shall submit the draft minutes to the Staff Liaison for the Board. The Chair, or Vice-Chair, shall review the draft minutes and may make such corrections as are necessary to ensure that information required to be included in the minutes of such meetings is accurate. Examples of appropriate corrections include spelling of names, grammar, citations, and technical jargon. In no case shall a correction alter what was said or discussed at the meeting, or the result of any action taken. All corrections shall be made with “track changes” or a similar feature turned on so that other Board members are aware of any such corrections. If extensive revisions are being requested by a member, the Board should conduct the review at the end of the regular agenda items. Once approved, meeting minutes shall be immediately filed with the City Clerk.
3. **Quorum:** A quorum shall consist of a majority (a minimum of 50% plus 1) of the total eligible number of members that may be appointed to the Board, either under state law or by City Code, regardless of the number of members actually appointed. No Board business shall be conducted in the absence of a quorum. An available alternate member shall be appointed by the Chair in the absence of a regular member to form a quorum, and shall be appointed by the Chair at any time in the absence of any regular member. An alternate member so appointed shall continue to serve in the place of the absent regular member if a matter under consideration by the Board extends over multiple meetings, and/or until that matter has been completed. A quorum of the Board shall always be physically present at the location specified in the public notice, and no Board business shall be conducted through email or other electronic communication that does not allow the public to hear, read or otherwise discern the meeting discussion. A member may participate by telephone or other electronic communication when the member’s attendance is not reasonably practical, the reason for absence is stated in the minutes, and all participants, including the public, are able to hear, read and discern the meeting discussion. Email communications

among the Board or between the Board and Staff Liaison shall be used only for the transmittal of administrative matters such as scheduling or the transmittal of information to be acted upon at the public meeting. Board business shall not be conducted in any manner other than at a duly noticed public hearing.

4. **Elections:** At the first meeting of the new calendar year the Board shall elect, by simple majority, a Chair and a Vice-Chair.

5. **Presiding Officer:**

- A. The Chair shall preside over the meeting and call the members to order.
- B. In case of absence of the Chair, if a quorum is determined to be present, the Board shall proceed with the Vice-Chair acting as the presiding officer.
- C. In the event that both the Chair and Vice-Chair are absent, and if a quorum is determined to be present, the Board shall proceed to elect a Board member, by majority vote of those present, as Temporary Chair of the meeting until the presiding officer appears.

6. **Right of Floor:** The Chair shall control the meeting. When recognized by the Chair, a member of the Board or the public, shall respectfully address the members of the Board and shall confine themselves to the question under debate, avoid personal comments, and refrain from impugning the motives of any other individual's argument or vote. The Chair shall act on all proper motions for which there is a second. A motion to call the question shall require two-thirds (2/3) vote and is not debatable.

7. **Order of Business:** The business of all regular meetings shall be transacted in the following order:

- A. Call to order.
- B. Roll call of attendance.
- C. Acceptance of minutes of preceding meeting.
- D. Board business on meeting agenda.
- E. New business
- F. Adjournment.

8. **Meeting Agenda:** The meeting agenda shall be prepared by the Staff Liaison on consultation with the Chair, or in the absence of a Staff Liaison, by the Chair. Items to be placed on the meeting agenda must be received by the Staff Liaison a minimum of five (5) business days prior to the scheduled meeting. No subject matter that is not on the agenda shall be discussed at the meeting, but shall be referenced under New Business and shall be placed on the agenda for discussion at the next regular meeting.

9. **Communications:** Communications to be introduced to the Board must be signed by the person introducing the same, either by hand or scanned and submitted electronically, must give his or her residential address or mailing address, if different, at which he or she can be notified of meetings, and telephone number, if available. Communications not containing all of the above will not be accepted by the Staff Liaison, or by the Chair, and will not be placed on the agenda of

the Board. Communications addressed to a Board member of a personal or argumentative nature shall not be introduced in the meeting. Any email communication directly to a member of the Board relating to a matter before the Board must be provided to Staff Liaison, or to the Chair, for compliance with this paragraph and for inclusion in the record. If the Board decides to submit a written memorandum on a matter before it to the City Council, it shall direct the Staff Liaison to draft the memorandum for review and approval by the Chair prior to submission to the City Council.

10. **Order of Business - Out of Order:** The Chair may permit any item of business to be taken out of the regular order as set by the agenda unless there is an objection by a Board member in which case a majority of the Board may vote to take the item out of order.

11. **Reports:** When required, the Board shall issue a Majority Report as “Informational” or as a Recommendation to the City Council based on the findings of the Board. A simple majority of the quorum shall be sufficient for the report.

12. **Tie Vote:** In case of a tie vote on any motion or recommendation, said motion or recommendation shall be deemed defeated.

13. **Reconsideration:** After the decision of any question, any member who voted with the prevailing side may move for reconsideration for that action at the next regular meeting of the Board. For the purposes of this Rule, the next regular meeting of the Board shall be the next regularly scheduled meeting of the Board which is at least ten (10) days after the meeting of the Board at which the decision to be reconsidered occurred. The Board member shall submit a written notice and the question shall be placed on the agenda in accordance with these Rules of Procedure (“Rules”). A motion to reconsider shall require a majority vote of the Board members present. If the motion to reconsider is approved, then the matter shall be before the Board for further discussion and appropriate action. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made. If the original vote is sustained at the next regular meeting as defined herein, the Board shall have no further right of reconsideration on the question.

14. **Conflict of Interest:**

- A. Every member present when a question is placed before the Board shall vote thereon, except when the member has a conflict of interest in the matter as defined by Article VI, Conflict of Interest, and Section 25, Communications, of the Charter of the City of Keene. A conflict may exist when a Board member’s spouse, civil union partner, parent, child, or other member of the Board member’s immediate family has a conflict. A conflict exists when a business or individual has a matter before the Board and the Board member is employed by the business, or is otherwise a party in interest. If the conflict becomes known prior to a Board meeting, the Board member shall file the written particulars of the conflict of interest with the Staff Liaison for inclusion on the Board agenda. If the conflict becomes known to the Board member during a meeting, the Board member should immediately disclose the particulars of the conflict of interest. The question of whether or not a conflict exists will then be decided by a majority vote of Board

members present. When such a conflict exists, the member having the conflict shall be recused and shall be prohibited from participating in the discussion and shall not vote on the matter. No Board member having a conflict of interest may discuss the matter in which they have a conflict with any other Board member in any other place or any other time.

- B. Any Board member having reasonable grounds to believe that another Board member has a conflict of interest may raise the issue on their own motion. The question will then be decided as set forth above.

15. **Non-Public Session:** City Boards and Commissions may not enter a non-public session without prior notice to, and the presence of, City Staff at the meeting. In the event of a requirement to enter into non-public session, a majority of members present at a Board meeting may, by roll call, vote to go into non-public session in accordance with RSA 91-A:3. The motion shall state the specific statutory basis relied upon for the non-public session. All persons who are not Board members qualified to participate in the discussion shall leave the meeting, unless specifically requested to remain. No action or decision with respect to the matter shall be taken in non-public session. Minutes of the non-public sessions shall be taken and the minutes shall be publicly disclosed within seventy-two (72) hours unless, by recorded vote of two-thirds (2/3) of the members present, the minutes are sealed in accordance with RSA 91-A:3. The minutes of any non-public meeting shall be designated as such and shall be filed with the City Clerk no more than seventy-two (72) hours after the meeting.

16. **To Amend Rules:** These Rules may be amended or new Rules adopted by a two-thirds (2/3) vote of all members appointed to the Board. The public meeting notice shall state that a proposal to amend the Rules is included on the meeting agenda. Proposed amendments shall be submitted in writing at a regular Board meeting, but shall not be acted upon until the next regular meeting of the Board. An amendment to the Rules shall become effective upon passage.

17. **Creation of Subcommittees:** The Board may create subcommittees as necessary to assist in its operations, which shall be advisory to the Board. Subcommittees shall be created by vote of the Board for a stated purpose, identifying the specific Board members appointed, with the purpose and membership included in the minutes of the Board. Non-Board members shall not be appointed to subcommittees. Subcommittees are public bodies under RSA 91-A, and are subject to all of the requirements applicable to the Board under the foregoing Rules of Procedure, including prior public notice of meeting dates, times and meeting locations which are accessible to the public, and keeping and submitting appropriate minutes within the time periods stated above.

18. **Rules of Order - *Roberts Rules of Order*** shall govern points of order not covered herein.

Adopted this **14th day of AUGUST, 2019.**

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\_\_\_\_\_, Chair