

City of Keene  
New Hampshire

**MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE**  
**MEETING MINUTES**

**Wednesday, August 28, 2019**

**6:00 PM**

**Council Chambers B**

**Members Present:**

Janis O. Manwaring, Chair  
Randy L. Filiault, Vice-Chair  
Stephen L. Hooper  
Gary P. Lamoureux  
Robert B. Sutherland

**Members Not Present:**

**Staff Present:**

Elizabeth Dragon, City Manager  
Elizabeth Fox, HR Director/Assistant  
City Manager  
Thomas P. Mullins, City Attorney  
Kürt Blomquist, Public Works  
Director/Emergency Management  
Director  
Steve Russo, Chief of Police  
Donald Lussier, City Engineer

Chair Manwaring called the meeting to order at 6:00 PM, welcomed the public, and explained the rules of procedure.

**1) Petition- Request for Lower Speed Limits and Traffic Calming Devices – Skyline Drive and Morgan Drive**

Chair Manwaring called the petitioner forward to address the issue.

Robert Malay of 5 Morgan Lane stated the folks in his neighborhood have submitted a petition for lower speed limits. Mr. Malay said Skyline Drive and Morgan Lane are dead end, short roads with no through traffic. The neighbors submitted the request and the City promptly put up data collection devices. Mr. Malay continued stating after the data was analyzed it was concluded that the neighborhood does not have a speeding problem. The data suggests that there is no safety issue with the current 30 MPH speed limit; however, the neighborhood does not believe it is safe to travel at that rate of speed. The neighborhood is also concerned about folks who do not normally frequent the neighborhood who are traveling at higher rates of speed. Mr. Malay stated he has had personal conversations with people coming into the neighborhood at, from his perception, a high velocity of speed and he reminds them children play here and suggests that they slow down. Mr. Malay said most folks are apologetic when confronted but there are no signs posted that state children play there. Mr. Malay added that just recently a ‘No

Outlet' sign has been posted in the neighborhood. Mr. Malay stated he has only been living in the neighborhood for 3 years but has seen the neighborhood change recently to more families with young children. The neighborhood is also used as a walking path and folks who frequent the YMCA get extra work outs in through the neighborhood. Mr. Malay continued saying the neighborhood believes that 30 MPH isn't slow enough particularly due to it being such a short stretch of road and the amount of young children playing and living in that area, as well as other folks using the area for recreational purposes. At the end of the section of road is a pool and most folks walk to the pool. Overall the neighborhood is concerned and is requesting the City to add signage similar to Maple Acres, which has a posted speed limit of 25 MPH. Mr. Malay said he looked at all the entry points in that area from Pako Avenue to Melody, to Sesame, American and Kennedy and that neighborhood has through traffic. In his neighborhood there is no through traffic. Mr. Malay reports he looked at Meeting House Road and it is close to a mile in before you get to a home and speed limits are posted at 25 MPH. Mr. Malay stated he and his neighbors submitted this petition and are asking for the same consideration to create awareness and change behaviors. All neighbors have signed the petition except for one.

Dr. Todd Dombrowski of 263 Skyline Drive stated he has been a resident at that address since 2012 and has seen the traffic patterns change. Dr. Dombrowski stated one of the things the neighborhood was looking at is if the 30 MPH speed limit is a realistic speed limit in the area. Dr. Dombrowski said he lives at the apex on Skyline Drive and in that area there are bushes and trees that obstruct the view. He added he has seen a lot of people try to maneuver up the hill at certain rates of speed that appear to be excessive. Dr. Dombrowski continued saying this is where the one car accident occurred on June 17<sup>th</sup> on Skyline Drive which brought the residents in the area together to change the speed limit. Through observation, Dr. Dombrowski believes the speeders are repeat offenders and others as well. As kids play in the area, especially in his yard where he has two young children ages 8 and 7, he cannot see if a car comes up the street and as he stands in the street he can only hear if a car is coming up the street. On numerous occasions, Dr. Dombrowski reports having to slow drivers down and two of those instances led to a verbal altercation.

Dr. Dombrowski said the petition that was signed focuses on the high population of children, folks who exercise and walk through the area, as well as people commuting who work at C&S and the insurance company. It is a high traffic area and unsafe for cars to be travelling at that rate of speed. Based off the data you can tell cars are traveling at an average rate of speed between 16 and 25 MPH. Dr. Dombrowski continued that while this was good news, the posted speed limit is 30 MPH. The residents in the neighborhood would like something to visually stimulate and change behavior patterns of drivers. Dr. Dombrowski said the speed tracker was placed in an area where line of sight is clear going in both directions. Residents of the neighborhood were not asked for their input on where to place the speed trackers and where the specific areas of concern are. Dr. Dombrowski stated that in front of his home is of concern due to where it is located in the apex of the turn on their street. Drivers cannot see cars as they come through. Dr. Dombrowski reports he plays with his children and monitors them while they play in the

street. Dr. Dombrowski suggested there could be bias within the data collection due to where the speed trackers were placed. The question is whether 30 MPH is an appropriate speed limit in this neighborhood, particularly when compared to other locations in the City with similar foot traffic, or does a 25 MPH speed limit make more sense. This street has no outlet but due to storm damage, the sign was lost and never replaced. Dr. Dombrowski also reports his mailbox has been hit and replaced by the City 5 times this winter due to it being so close to the road and because of where cars go on the street. There are driving patterns that need to change especially if drivers are supposed to be going slow.

Dr. Dombrowski continued saying that the similarly situated neighborhoods are where the City is determined that anything at 30 MPH or below would be necessary and the neighborhood wants that posted as such. The neighborhood is looking out for the safety of its children and the safety of the people who are walking. Because the YMCA has brought so many people in the area, it really has changed the nature of traffic in the area. Dr. Dombrowski said diverting traffic due to flooding increases the traffic patterns as well. Overall, the petitioners request reducing the speed to 20 or 25 MPH comparable to other places in the City as well as the addition of signage stating the speed limit. Another addition of signage requested would be the 'Children At Play' signs so that all folks travelling through the neighborhood are accountable. Although other important factors may be at play too like distractions or cellphones, the only matter the neighborhood has control over is the area where the petitioners live. Dr. Dombrowski asked the Council help keep the neighborhood safer.

Chair Manwaring asked if the petitioners had anything else they would like to state.

Mr. Malay stated that law enforcement and the City is very much appreciated and the neighborhood does not intend on make anything more difficult. Mr. Malay added that on Pako Avenue, a speed table is present and the neighbors of the Skyline Drive area are asking for the same considerations.

Chair Manwaring called staff to comment.

Public Works Director Kürt Blomquist stated Public Works has a process to go through when receiving neighborhood concerns. This took place during the committee's vacations and it gave the Department the opportunity to do the work during that time. Normally it does take several weeks to get data set up.

City Engineer Donald Lussier said the Department put out the traffic counters on Skyline Drive after receiving the petition from the neighborhood. The graphic presented to the committee shows where the traffic counter was located. Mr. Lussier stated that Skyline Drive at its intersection with Stonehouse Lane is about 1,700 feet long and the pavement width is an average of about 24 feet. The right-of-way is exactly 50 feet. Morgan Lane is 500 feet long from its intersection with Skyline Drive. Both streets slope steadily from Stonehouse Lane to Morgan Lane and it is a continuous climb until the end. Mr. Lussier continued stating he selected that location for data collection because it is toward the

bottom of the hill and naturally cars tend to accelerate more going down and it allows people coming into the neighborhood to have accelerated to full cruising speed. Mr. Lussier commented on what a man said earlier about an inherent bias with signage as if seeing the sign makes someone become more careful about how they drive. Mr. Lussier stated that his office uses the measuring tools in stealth mode, and are not displaying speeds vehicles are driving at in order to alleviate bias and not influence the results. After analyzing the data, we measured 1,900 trips, and that includes to and from trips. He explained that traffic engineers look at the 85th percentile speed, the natural speed limit of a roadway or the natural speed limit a prudent driver feels safe driving at. The data showed a minimum speed of 18.7 MPH, and a maximum speed of 37 MPH and only one measurement went over the 35 to 36 threshold. Mr. Lussier said a traffic engineer would look at this data and say there is not a concern with driving in this neighborhood.

Mr. Blomquist asked the Committee if there were any technical questions for Mr. Lussier.

Councilor Hooper asked Mr. Lussier to clarify what stealth mode is.

Mr. Lussier responded stating it is the display on the radar screen, that when powered on will give the driver visual feedback at what speed they are driving. When collecting data for traffic study purposes we turn it off. We are still recording the number of vehicles, the time the vehicles are traveling and at what speed they are traveling at, but do not show the driver what the device is recording.

Councilor Hooper asked Mr. Lussier if there was a rubber tube across the road.

Mr. Lussier responded stating that what the Councilor is referring to is a tube counter and it is a different system than the Department uses.

Councilor Filiault asked if there are any major issues with reducing the speed to 25 MPH.

Kürt Blomquist stated that speeds are controlled by State Statute. By State law, the base speed limit for urban streets is 30 MPH. A section of the law allows a reduction of the speed based on an engineering analysis. After completing our engineering analysis, we do not see a need to drop the speed to 25 MPH because of the current behavior out there. Mr. Blomquist said there was mention of 'Children At Play' signs and these signs have been discussed before but are considered unwarranted signs. Studies have been done indicating that these types of signs do not change driver behavior but only gives false hope to the folks that asked to have them put up. In the City, we have tried to stay away from putting up those types of signs due to its undetermined meaning. Mr. Blomquist stated that Maple Avenue was also discussed and the City completed a similar study in that area. After completing the study it was concluded that speeds were recorded over the 85<sup>th</sup> percentile of over 30 MPH. In that neighborhood, they had a documented problem. The Council reduced the speed because it met the engineering review requirements. Speed tables were considered in the study on Maple Avenue but in this case, with Skyline Drive speed tables would not change any driving habits.

Randy Filiault said he lives on Stonehouse Lane and walks it every day and there is a problem. Since the trail has been open, traffic is much heavier and faster. Mr. Filiault stated to Mr. Blomquist he understands the data collection points being made, but that Mr. Filiault's points are also valid. If eight members of the City Council decide to reduce the speed the speed will be reduced and the State will follow up with it afterward.

Mr. Blomquist stated we can bring in other data collected around the Skyline Drive for comparison but all results conclude there is not an issue with speeding in that area.

Mr. Filiault stated that unless it can be proven that reducing the speed to 25 MPH would create a hazard he does not accept the data results. Mr. Filiault thanked Mr. Blomquist for his comments.

Robert Sutherland asked Mr. Lussier if time was a variable used in this traffic study or if there was a pattern to the outliers that might skew the results. We have a petition from people who live on this street and the assumption should be maybe they could talk amongst themselves to drive slower.

Mr. Lussier said that the dataset did not present any indication that there was a trend or pattern with time of day and speeding. Sometimes you can see patterns in the data and it helps the police pay more attention or focus in that area at or around that time. In this case, there was no clear pattern. The fastest recorded driving speed in the dataset was around 2 am.

Mr. Blomquist stated it always comes back to driver habits, such as delivery people. Unfortunately, they are not going to follow it anyway. One of the concerns we have is we want people to feel safe and unfortunately we have a State law that people stop for pedestrians, but we recommend that pedestrians stop before crossing.

Mr. Sutherland asked Mr. Blomquist what the costs are of a speed table, including installation and maintenance.

Mr. Blomquist stated it depends on the size of it, but it roughly costs between 6 or 7 thousand dollars a year, in addition to the cost of maintenance over time and painting. Speed tables are there to bring the speed down, but it will not correct or make the drivers speed any slower. Driver distractions are difficult to attack; one of the biggest ones is distracted drivers and electronic devices.

Mr. Sutherland stated he recalled the City changed the speed limit on Main Street and Roxbury Street because we wanted to make everything equal, and his understanding was it was not part of an engineering study.

Mr. Blomquist said we have a lot of data from Main Street. When we developed the roundabout we determined we have 6,000 crossings which is significant pedestrian activity. When speed adjustment was brought up, we already had the data to prove it was

needed. After putting in the median strip Mr. Blomquist noted he was curious if speed patterns have dropped at all because the question is do these adjustments change driver behavior. Those who follow the rules will follow them, but the question is will these changes affect those who do not follow the rules.

Mr. Sutherland asked Mr. Blomquist if the study included pedestrian traffic.

Mr. Blomquist stated within the area we researched there are no crosswalks. Streets are not for children to play. If the area had crosswalks we would be looking at pedestrian traffic numbers.

Mr. Sutherland said streets make good hockey rinks for kids but agrees that they are not meant for playing.

Councilor Lamoureux commented that part of our process is collecting data to eliminate guess-work and it's up to the City staff to make an educated decision. Based off the data it is not needed. If we go outside of what we ask City staff to do than we will just be guessing.

Chair Manwaring stated when she drives up a hill she personally increases speed to make it up the hill and data was not collected going up the hill. Secondly, one cannot see when going up the hill and around the corner. Drivers may go 20 or 25 MPH at the bottom where data was being collected, but drivers will increase speed up to 30 or 35 MPH as they go up that hill.

Mr. Blomquist responded saying sometimes not seeing around the corner causes someone to pause and we are creating more things to create closure and curves and lanes and roundabouts, or landscaping to inhibit vision to prevent speeding in front of cars. We could collect the data but probably won't get the results they want. For this particular case the question is how fast can a car accelerate or slowdown in less than 400 feet. Cars may be accelerating but is it to a point of being unsafe? In our opinion, it appears it wouldn't be.

Councilor Hooper stated he believes something needs to be done to calm the traffic and he does not want to end the matter here. Councilor Hooper asked if there are grants available for any part of this process of calming traffic.

Mr. Blomquist said he has seen grants available for this type of thing in the past but he will need to look for them. We bought four of these enforcement signs because we can rotate them around. Drivers will see something new and react but eventually it becomes part of the background. Drivers who want to comply will comply but how can we get the attention of drivers who are distracted. A lot of neighborhoods have issues like this and it's a continued campaign to remind drivers to pay attention but at the end of the day you can only control 85 percent of the population and there will always be outliers.

Councilor Filiault stated he appreciates when staff comes in and presents data and a report, but when our neighbors bring something to us and we do not do anything about it, he finds that very frustrating. Councilor Filiault stated he witnesses it himself being a resident in that area. Although concerned with other neighborhoods, as a resident of this particular neighborhood he believes it is important that he represent their interests. It is up to this Council to determine what is going to happen. Putting 25 MPH signs up might not change this situation but it won't hurt it either. Councilor Filiault stated he is open to hearing the thoughts of his fellow Councilors, but his recommendation at this point is to put up 25 MPH signs, collect data to see the impact, and report back to Council.

Chair Manwaring opened up the meeting to the public.

Devony Erikson of 242 Skyline Drive stated she has three children and shared that last summer her 3 year-old was nearly struck by a vehicle in the neighborhood. She moved to this neighborhood because it was safe and it was a dead end street, and she cannot let them play without having eyes on them at all times. The neighborhood is asking Council to consider the speed reduction and if we go on data alone they have an issue with how the data was collected. They feel the data was collected in an area where we do not have a problem. The problem is the apex and that is not where the data was collected. She asked the Council to reconsider where the data is being collected. The neighborhood is trying their best to raise awareness and they feel so serious about the safety of our children and need help to feel safe in our neighborhood for our children to bike and play without us having to stand in our driveways and try to flag cars going around in our neighborhood.

James Griffin of 195 Key Road stated he is attending this meeting for another matter, but after listening to these residents and people complain about speeding he felt compelled to speak. He stated at every meeting Public Works comes back with statistics stating we do not have a problem. What people are saying is disregarded; curves are a challenge for some people. Even though it has reduced drag racing on Key Road the kids still go through there and especially young people will accelerate on curves. If kids find out there are curves on Skyline Drive they will all show up there speeding around. He believes the people on Skyline Drive. They are there every day and know far more than some machine.

Police Chief Steve Russo wanted to stress that we do not want to totally disregard statistics. Chief Russo stated he is not arguing for or against this issue but he urged the Council to use caution because disregarding the statistics and throwing signs at the problem will not necessarily solve it. If signs go up this problem will keep showing up. Changing the speed limit is fine. However, studies show that signs will not work just as Public Works mentioned. Also, these signs are expensive and cautioned the City more people and neighborhoods will come in here and buy them. The usefulness of these signs is to collect data or as a warning. The Police Department works closely with Public Works. We just recently used it after a neighborhood complaint. We look for patterns and the data showed two patterns at two different times of day so the Police Department sent out patrol during those times instead of randomly sending police out somewhere wasting

resources. Things have a purpose and the data provides the evidence, adding it is a standard that is used everywhere. But, when your kids are playing and they are your children that is a different set of standards.

Chair Manwaring shared she as well as the rest of the Council appreciates the hard work the Police Department does. Chair Manwaring addressed the public asking if anyone else wished to speak.

Karen Johnson of 297 Skyline Drive said she lives at the top of the hill. The grade is steep, you have to slow down on your way down, and you have to accelerate going up. You do have to make an effort to slow down and if we could collect data around the apex that might help us. Overall, it is just not enough data.

Chair Manwaring addressed the public again asking if anyone else would wish to speak. Chair Manwaring asked if the Public Works Department had anything more to add to the discussion. Without any further discussion, Chair Manwaring addressed the rest of the Committee to determine an appropriate motion.

Councilor Sutherland stated he would direct the City to do another data collection at the apex.

Councilor Filiault stated he has no issue with going back out to collect more data, but that the neighbors are saying there is an issue and he does not need a machine to tell him what his neighbors are already saying, we have witness accounts. Mr. Filiault stated he would like to direct a motion to change the speed limit from 30 to 25 MPH. This is simple to take care of and he understands that data should be examined but that running for office is about representing the people and we are not representing the people we serve by telling them we cannot do anything.

Councilor Lamoureux agreed with Councilor Sutherland and believes in data collection to take the guesswork out of it. If there is problem going back out to collect data at the apex will clear it up.

Councilor Hooper said in this particular case it is an accident waiting to happen. He is ready for a 25 MPH sign and does not believe another data collection is necessary.

Councilor Filiault made a motion to move to direct staff to change the speed from 30 MPH to 25 MPH in the Skyline Drive and Stonehouse Lane neighborhoods, and Councilor Hooper seconded.

Chair Manwaring asked Councilor Filiault if that includes Morgan Lane as well.

Councilor Filiault said yes and clarified it will be all the streets in that neighborhood changed from 30 to 25 MPH.

Mr. Blomquist asked Mr. Filiault to clarify which roads in the neighborhood specifically he is motioning to change and added that Sugar Maple Lane and Morgan Lane are private roads.

Mr. Filiault stated he understood they were private roads and again clarified that this motion to reduce the speed limit from a 30 MPH zone to a 25 MPH zone would include Stonehouse Lane, Skyline Drive, and Summit Ridge Drive.

On a vote of 3-2, the Municipal Services, Facilities and Infrastructure Committee recommends staff be directed to draft an Ordinance to change Stonehouse Lane, Skyline Drive, and Summit Ridge Drive to a 25 MPH zone. Councilors Lamoureux and Sutherland voted in opposition.

**2) Informational Report – 4-Way Stop Conditions for Arlington Avenue and Dort Street – Public Works Department**

Mr. Blomquist stated that when some items come in from the public, if they are administrative items the department can handle then the item is dealt with as such. In this case, we have received a request for a stop sign. We reviewed the area with the engineer and at this time this intersection does not require a 4-way stop sign, it currently has a two-way stop. In the process if the folks who submitted the request to the city are not in concurrence with the City's decision we would address it, the Manager's Office would review it, and if neither of these satisfied the petitioner it would be taken to the Council. Mr. Blomquist stated that no action was needed and this was strictly informational.

Tobias Iselin of 46 Arlington Avenue stated that he and his wife have lived there since 2009 and he wrote the petition for his children, noting that some people travel quickly down the street. He noted they are not looking for a reduced speed limit and he believe a stop sign is needed. Mr. Iselin stated the City did an excellent job with the data and agrees that the vast majority are being respectful drivers, but is concerned about drivers not coming to a complete stop at two-way stop signs. They are petitioning for an additional stop sign at the intersection. Mr. Iselin stated he does not have kids playing in the street, but people are walking with kids and biking and some cars go very fast, but the majority go slow. Mr. Iselin shared he was surprised the data didn't show even slower speeds being that the data was collected where neighbors are pulling out of their driveways. They live by the school and there are kids leaving high school going fast at times. They are there every day so they have the anecdotal data. Mr. Iselin said a stop sign would not fix everything but it is an obvious prevention tool in this case. He stated he would donate money for the sign if needed. He added that although he does not have the backing of the neighborhood, he does not see how putting up another stop sign would harm anything. Some of the folks are the pizza delivery people who speed. Mr. Iselin said he gives people the universal slow down hand gesture when people drive through who are speeding and some confront him aggressively. Mr. Iselin concluded by saying he agrees with the data in that it is a small percentage of people who are speeding and that is who he is worried about. He thanked the City for its time.

Mr. Blomquist said stop signs are different from other signs and State Law outlines conditions when stop conditions are required. State Law outlines that stop signs are not for speed control. The risk is that it is a liability issue and if the validity of the stop conditions were challenged and they did not meet the State's conditions it would mean the City is liable. The Public Works Department does not recommend the placement of a 4-way stop.

Councilor Filaault said the same argument was made on several streets with issues before and we made exceptions over the years. The stop sign on School Street is still there today because of that.

Mr. Blomquist shared that in his time with the City, he has not recommended a stop sign for speed control and he believes his predecessors would have made the same recommendation. From a liability standpoint if you have unwarranted stop signs it is a liability.

Chair Manwaring asked if Mr. Iselin needs to petition the Mayor and City Council if he wants to continue pursuing installation of a stop sign.

City Manager Elizabeth Dragon said we already have a letter about this. This process starts with Public Works and it can be put back on the agenda for action without any further correspondence.

Councilor Filaault said we just need more time to go look at the neighborhood and report back.

Mr. Blomquist said the Department can do that.

Chair Manwaring asked Mr. Blomquist if his Department would come back with information and data like they did with Skyline Drive.

Mr. Blomquist said we could have an image of the area for the Committee to review, etcetera. He added that at this point, staff has done the analysis and the Council can expect the Department's recommendations will probably not change.

Councilor Sutherland said around School Street there are no stop signs at Summer and School and Winter and School Streets and there is a lot of traffic there. In this neighborhood, it is interesting because there are stop signs at Dort and Arlington Avenue, but no stop signs at Dort and Royal Avenue and no stop sign at Dort and Pinehurst Avenue. Councilor Sutherland asked if there needed to be other rules in place to install the stop sign there.

Mr. Blomquist said many of these stop signs were installed before his time with the City. If we did an analysis now it may show that it is not required. The question comes back to did you install it because you wanted to. Over the years, he has removed a bunch because they were clearly not warranted. Certainly, there are others still installed in locations

where they may not be necessary. Depending on traffic patterns and improvements to streets, you can have a change for when something is required and when it is not required. It is all based on each specific situation.

Mr. Iselin shared that he should not go away without asking for a 'Children At Play' sign.

Chair Manwaring made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee placed this item on more time.

### **3) Discussion – Request to Prohibit the Use of Engine Brakes**

James Griffin of 195 Key Road stated he has his own statistics to share. He recorded how many engine brake instances he heard during a particular timeframe. He continued that starting at 6am on Monday morning he counted 27 occurrences. Wednesday there were approximately 52 occurrences. It sounds like a jackhammer going down the road and it is constant. He added his neighbors are all willing to sign a petition. A sign stating an ordinance is enough to deter them and he is not asking the Police to patrol there, but you can hear them up to Main Street and Optical Avenue. Many towns have these ordinances. Keene has a bad reputation for enforcing traffic violations. From West Street down to Route 101 you can hear drag racing and he has not ever seen radar or cops pulling people over there. He noted he has never seen a car pulled over for speeding in Keene or ever seen radar. It is a quality of life issue that is going on and it is going to disturb people.

Police Chief Russo said he is not going to address all the issues Mr. Griffin mentioned, noting the Council does receive monthly reports on traffic stops. He continued that Mr. Griffin is correct, there are many states that have bans on commercial engine brakes. We do not believe we should be regulating this in Keene. Chief Russo said he asked several police stations throughout the state if they have experience with this matter. Some cities and towns have the signs. Chief Russo stated he is unsure how useful those signs are or if it will be a deterrent. How would the police be trained on this issue because Chief Russo explained he had to watch a video online to learn about it. How would we prove this in court and enforce this? It sounds like it is a problem for some people. City and emergency vehicles are going to want to use their engine brakes and if we tell them to not use them how is that going to look?

Councilor Filiault asked Chief Russo would you have an objection to putting signs up for educating purposes.

Chief Russo responded by saying that is the Council's choice. We may get compliance. We are also trying to cut down the amount of signs we have.

Councilor Filiault said maybe a sign would not hurt in a location where there are not a lot of signs.

Mr. Blomquist said per the Council's guidance, he did contact the Department of Transportation to seek their permission for the placement of signs within the State's right-of-way. They responded that they had rejected similar requests based upon the advice of the Attorney General's Office. Essentially, the State does not want to discourage using a legal safety device. We could put signs at entries to City property on West Street or Main Street but at this point, the State would not authorize us to do anything within their right of way.

Chief Russo said this is why the State has not done anything with the State Police regarding this.

Councilor Filiault noted Mr. Blomquist mentioned we could put signs up but wanted to clarify where.

Mr. Blomquist responded he was referring to City property. For example, on the off ramp to West Street within City limits or on Main Street on the north side of 101 because the south side is a class 4 highway and owned by the State but City maintained. We do have signs for through trucks at those points so we could put something up requesting engine air brakes not be used in City limits. Most of these issues are coming off the bypass.

Councilor Filiault asked if we gave Public Works two weeks to point out where those spots would be and report back to committee would that be possible.

Mr. Blomquist said he would report back with those maps or an indication of where we could put those signs at entrances into the City.

Councilor Sutherland asked if we have a sound ordinance.

Chief Russo said that other cities and towns have built this into their noise ordinances, but engine breaks are not included in the Keene noise ordinance.

Councilor Sutherland asked Chief Russo if these engine brakes would violate the sound ordinance because we have loud motorcycles and he can hear snowmobiles. We have people complain about airplane noise too. We could be putting up signs for all kinds of things.

Chief Russo said commercial engine brakes would not violate the noise ordinance in Keene.

Councilor Lamoureux asked the Director if he was saying any vehicles over eight tons cannot be in those areas. Mr. Blomquist said it applies to designated truck routes. If a truck is going up to the bypass, they should not drive up Main Street to get to Route 9. Mr. Lamoureux noted vehicles under 8 tons do not have engine brakes.

Mr. Griffin said signs across the county don't say no engine breaks allowed, they just say no engine brakes, period. The ones around Keene are violating noise ordinances probably because they have illegal exhaust. In that case, they should be cited. In addition, Winchester, New Hampshire has put up an engine brake sign. Mr. Griffin stated they are definitely on the highway right of way because they are right on Route 10. To save money we could put signs on the space available on posts already there. This is not just the people living near the bypass; all of Keene is affected.

Councilor Hooper stated that it was suggested in the last meeting perhaps sending out a letter to companies to not use engine brakes and asked whether it makes sense to remind the companies directly.

Chief Russo asked which companies would receive notification because there are hundreds or maybe thousands. Councilor Hooper said if we don't know which companies they are then maybe it is a waste of time. Councilor Lamoureux stated the City should not call up companies and tell them to not use the safety devices on their vehicles. Mr. Griffin said he is not sure how we would track all these truck drivers being that there are so many.

Councilor Filiault said we could put up legal signs, it might not change everything, but maybe it could, education helps.

Councilor Filiault made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 4-1, the Municipal Services, Facilities and Infrastructure Committee placed the item on more time and that the Public Works Director report back to the Committee at their next meeting with locations where the signs would go as well as the wording of the signs. Councilor Sutherland voted in opposition.

Chair Manwaring adjourned the meeting 7:29 PM.

Respectfully submitted by,  
Claire Kunzler, Minute Taker