

Traffic Safety Advisory Committee
February 22, 2010
Minutes

Present: Bill Ruoff – Chairman
Gil Archambault
Chief Fred Douglas
Dave Wheeler
Dana MacAllister
Richard Tortorelli
Gary Daniels, Board of Selectmen representative

Absent: Bill Parker

Secretary: Kathryn Parenti, Recording Secretary

1. *Roll Call vote required by the BOS.*

5. *Approval of minutes from January 25, 2009.*

G. Archambault made the motion to approve the minutes.

R. Tortorelli seconded the motion

All were in favor of approving the minutes from January 25, 2009; none were opposed.

NEW BUSINESS:

2. *Elimination of the first parking space on Nashua Street that is to the right of School Street.*

B. Ruoff noted F. Douglas was to present this item to the Board of Selectmen at tonight's meeting. He wondered if the Committee had a consensus of opinion on this item as it would save time down the road. He stated this parking space does not conform to the The Uniform Traffic Control Manual, which states parking spaces should be fifteen (15) feet from any crosswalks. The line of sight when turning onto Nashua Street from School Street is not good. He wondered if the Committee wanted to table this item until the next meeting when they can find out what the BOS decided.

F. Douglas stated he had sent a memo to the BOS after the last TSC meeting, when this item was first brought up. He noted there is no charge from the BOS as they have not officially looked at this item. There is an outpouring of elderly drivers on School Street from the Mill apartments and there have been several near misses. The parking space in question has always been there but he noted the law requires crosswalks to be thirty (30) feet away from the nearest parking space. This issue is now up to the BOS. If the town starts to eliminate parking spaces in order to conform with The Uniform Traffic Control Manual there will be much less parking on the Oval. He's just bringing this item to the BOS and they have to make the decision.

R. Tortorelli noted there were a lot of parking spaces next to crosswalks in the Oval.

G. Archambault made the motion to table this item until they find out the outcome of the BOS meeting tonight.

R. Tortorelli seconded the motion.

All were in favor; none were opposed.

4. Request for speed reduction on Federal Hill Road (From BOS – a request from David Bucher, 178 Federal Hill Road) Tabled from 1/25/10.

B. Ruoff stated the Committee had talked about reducing the speed for the entire road to 30 mph but a question came up because part of the road is a state maintained road. He had called Pam Mitchell, of District 5 and she stated the town can't change the speed limit on a state controlled piece of highway without asking permission from the state, even though it's controlled by them only in the summer. This would make the process more complicated as the state would have to do an engineering study to evaluate the situation and most likely, they would recommend the speed limit remain at 35 mph. He didn't feel it was worth the effort to ask the state to change their portion of the road. He thought the town might be able to take down their 35 mph signs on either end of Federal Hill Road and install the town-wide 30 mph speed limit sign on the road where it leaves Hollis and make the town portion of the road be 30 mph.

F. Douglas noted the current speed limit was consistent with state statutes.

G. Daniels stated, after reading the letter of request, there was not a lot mentioned about excessive speed on the road; it was mostly about people not paying attention on the road. He wasn't sure if speed was the actual issue or not.

D. Wheeler stated he was satisfied with leaving the speed limit as it is posted.

B. Ruoff replied P. Mitchell said that speed limit is based on the speed of the drivers on the road, and she didn't think the speed limit was going to change. She felt 35 mph was not unreasonable for that road but was willing to entertain any application for a reduction in speed there. He was willing to do whatever the Committee wanted to do.

G. Daniels stated he was fine with leaving the speed limit as it is.

G. Archambault thought installing a town-wide speed limit sign on the road was a good suggestion.

F. Douglas agreed with that at face value but there could be some legal issues with enforcement of the speed limit; if they remove the 35 mph signs and install the 30 mph sign, they would be hard pressed to enforce the reduction in speed and support that in court. The town ordinance takes precedence over the state statute of 35 mph.

B. Ruoff stated the road is currently marked as 35 mph and the town ordinance says it is 35 mph. The state portion of the road is and will probably stay at 35 mph. He noted there are several places around the state where the speed limits on roads vary on that same road. The ordinance is in place for 35 mph, which is the enforceable speed limit. The solutions are the speed limit stays the same, they take down the 35 mph sign and put up the town-wide speed limit sign or not have any speed limit sign in place.

F. Douglas noted it would be hard to prove in court. There is signage that indicates the proper speed that is in place; they have to leave the sign up.

B. Ruoff concluded, after talking with P. Mitchell, they have to leave the speed limit at 35 mph.

G. Daniels noted there were some problems if they post the road as being 30 mph and the state portion of the road is posted at 35 mph and the ordinance states the speed limit is 35 mph. This would be like the two (2) hour parking limit signs downtown that are not enforced.

F. Douglas noted if you can't prove the road was properly posted, the ticket can't fly.

B. Ruoff concluded that the Committee was in favor of leaving the speed limit at 35 mph.

D. Wheeler made the motion to leave the speed limit at 35 mph.

F. Douglas seconded.

All were in favor; none opposed.

B. Ruoff stated he would send a letter to the BOS noting this had been discussed over several meetings and that he had spoken with the state and concluded they should leave the speed limit as it is. This letter would be sent to the BOS and to the person who submitted the request.

F. Douglas recommended noting there has been enhanced advisory signage installed in the area as well.

B. Ruoff also stated tree clearing had been done by PSNH in the area too; he would also note it was a state issue and not the town's.

3. Discussion: Disability signage (Revisit issue per B. Ruoff)

B. Ruoff stated from prior discussions that the Committee had decided not to put these types of signs up. This has been discussed over the course of several meetings when people called to request signs for handicapped individuals or children at play they decided to stop doing it. The state brought to the town's attention that the handicapped signage is discriminatory. With regard to signage for horses in the road, people have to request them and pay for them to be installed. The reason this came up is due to a request from a resident living on Maple Street with handicapped children. He did want to do research to see how this has been dealt with. He is personally fine with installing the signs but the insurance company for the town and the state discourages it. With regard to the "Children at Play" signs, they are seen by the legal people to imply the children are given permission to play in the street.

F. Douglas noted the last request came from a resident off of Ridgefield Drive and the board took the position to not endorse the installation of the signage. Other signs have been installed preceding this case but the Committee agreed to cease doing that. If parents want to buy a sign and have the town put it up, that's another issue.

B. Ruoff said the issue he remembers was the request for a horse crossing sign on Foster Road; it was requested and the applicant had to pay for it. He thought this issue should be reopened and more research be done to see what other towns are doing in the state or just leave the policy as it is.

D. MacAllister asked what the cost of the sign installation was.

B. Ruoff replied it was minimal, approximately \$75 but the liability is great. An example would be if there was an accident involving a child playing in the street that has signage stating "Children at Play"; a savvy lawyer could say the town allows children to play in the street and the town could be liable.

D. MacAllister asked if the horse situation was similar.

B. Ruoff noted it was not- it just states that if someone is riding a horse, they may cross the road at a certain spot.

F. Douglas noted horses have complete right of way in the state of New Hampshire by state statute.

G. Daniels asked about the handicapped child signage.

B. Ruoff replied there is handicapped, blind and deaf signage for people in the state. He was not sure what was posted in town but there were many "Children at Play" signs.

G. Daniels stated in the past, children played in the road all the time; now that would not be encouraged. Legally they would not want to install that type of sign. He felt if a resident was blind or hearing impaired who may not be aware of vehicles near them would be a legitimate reason for installing that type of sign. He wondered how many of the signs that are installed now are legitimate.

D. Wheeler made the motion for the Committee's policy to remain the same – to not put up the signs as a general rule but they can make exceptions.

G. Daniels seconded it for discussion.

B. Ruoff stated he was leaning toward tabling this item in order to revisit the past minutes and do the research to find out what signage is acceptable in the state, and what is acceptable by the insurance company. He thought D. Wheeler's motion was a good one, noting the Committee's policy is to not put a sign up whenever it is requested. He thought they could come back to the next meeting to make a final decision.

G. Daniels asked what the Committee's policy was now.

B. Ruoff replied it was to not put up signs every time one is requested. He stated K. Parenti would research the minutes from previous discussions.

D. Wheeler thought B. Ruoff should check with the insurance company about the sign exceptions they grant.

B. Ruoff said that was his question – he wants to limit his exposure to liability and wants it to be as minimal as possible.

G. Daniels stated the policy should be made known so that they don't get tons of requests for special signs and they should look at the circumstances surrounding the approvals.

D. Wheeler withdrew his motion.

F. Douglas made the motion to table this item until sufficient research can be done.

G. Daniels seconded.

All were in favor; none were opposed.

OTHER BUSINESS:

6. School bus stops – who authorizes them

G. Archambault wondered who put up the school bus stop signs.

B. Ruoff replied the town installs the signs after working with the school bus company and the school. He couldn't remember the last time one was changed.

F. Douglas noted there was a concerned parent on Foster Road who felt the bus stop was in an unsafe location and went to the school board and then to the town and asked for it to be moved. He went to look at the site and agreed it was in an unsafe location and it was moved.

B. Ruoff asked if there was any additional business; there was none so he asked for a motion to adjourn.

R. Tortorelli made the motion to adjourn. G. Daniels seconded; all were in favor. Meeting was adjourned at 4:40 pm.