

## COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

May 3, 2010

5:00 PM

Chairman Roy called the meeting to order.

The Clerk called the roll.

Present: Aldermen Roy, Osborne, Long, Shaw

Absent: Alderman Ouellette

Messrs: T. Clougherty, J. Hoben, B. Stanley, M. Tessier

Chairman Roy addressed item 3 of the agenda:

3. The Traffic Division has submitted an agenda which needs to be addressed:

**STOP SIGN:**

On Greenwood Street at President Road –NWC  
Alderman Shaw

**RESCIND 10 MINUTE PARKING – NO TRUCK DELIVERIES:**

On Cypress Street, north side, from a point 25 feet west of Cypress Street  
to a point 50 feet west (Ord. 9885)  
Alderman Osborne

**10 MINUTE PARKING – NO TRUCK DELIVERIES:**

On Massabesic Street, north side, from a point 25 feet west of Cypress  
Street to a point 50 feet west  
Alderman Osborne

**NO PARKING ANYTIME:**

On Elm Street, east side, from Hayward Street to a point 285 feet south  
Alderman Long  
On Merrow Street, east side, from a point 70 feet south of Irwin Drive to a  
point 40 feet south  
Alderman Craig

**NO PARKING ANYTIME – EMERGENCY ORDINANCE:**

On Priscilla Circle, west side, from a point 215 feet north of Hazelton Court to a point 55 feet north

Alderman DeVries

On Douglas Street, north side, from Putnam Street to a point 400 feet west  
Alderman Ouellette

**PERMIT PARKING ONLY:**

Commercial Street, east side, from a point 26 feet north of Stark Street to a point 330 feet north of Spring Street

Alderman Long

**RESCIND PERMIT PARKING:**

Commercial Street, east side, from a point 50 feet north of Stark Street to a point 330 feet north of Spring Street

Alderman Long

ORD 9349

**RESCIND 15 Minute Parking:**

Commercial Street, east side, from a point 26 feet north of Stark Street to a point 46 feet northerly

Alderman Long

ORD 9387

Alderman Shaw stated I would like to ask if we could table the item that is the stop sign on Greenwood Street and President Road because there is a little confusion about it and I wasn't able to talk to Jim Hoben about it. I would like to table it.

On motion of Alderman Shaw, duly seconded by Alderman Osborne, it was voted to table this item.

On motion of Alderman Osborne, duly seconded by Alderman Shaw, it was voted to approve the balance of items.

Chairman Roy addressed item 4 of the agenda:

4. Communication from the Parking Division regarding Ordinance Section 70.54 providing clarification of parking districts 26 and 27.

On motion of Alderman Long, duly seconded by Alderman Shaw, it was voted to approve this item.

Chairman Roy addressed item 5 of the agenda:

5. Communication from the Parking Division requesting permission to stripe ordinance parking areas on the south side of Harrison Street between Elm and Chestnut Streets.

On motion of Alderman Long, duly seconded by Alderman Shaw, it was voted to approve this item.

Chairman Roy addressed item 6 of the agenda:

6. Communication from the Parking Division submitting a request from St. Joseph's Cathedral for free parking on Lowell Street for seven staff members, effective April 23, 2010 through the end of October.

Alderman Long stated as you may know, St. Joe's Cathedral is doing construction at their building. This takes no revenue so the free parking is really moot. They are going to be allowed to have seven of their staff members park on Lowell Street while the construction is ongoing.

Chairman Roy asked only during this construction phase, correct?

Alderman Long replied correct.

On motion of Alderman Long, duly seconded by Alderman Osborne, it was voted to approve this item.

Chairman Roy addressed item 7 of the agenda:

7. Communication from Mayor Gatsas requesting the Committee review the "bump out" at the intersection of Elm Street and Auburn Street.

On motion of Alderman Long, duly seconded by Alderman Osborne, it was voted to discuss this item.

Chairman Roy stated I would like to direct your attention to the letter that we got today from several of the owners down in the area of Elm Street.

Alderman Long stated with respect to the letter I spoke to those businesses and when it was implemented they weren't in favor of it, but since we have the crosswalk that we passed at our last BMA meeting, they are seeing that there is

more parking on the west Side diagonally. I'm not sure...I believe we would lose parking, and Tim you can clarify that, with respect to moving it to the east side. At first I was in favor because the parking would be right in front of those businesses, but could you explain what you explained earlier to me?

Mr. Tim Clougherty, Deputy Public Works Director, responded the number of parking spaces would be reduced in that area from about 100 to somewhere between 80 to 85. There would be a reduction between 15 and 20 spaces and that is primarily because you have a lot of side streets in between those buildings where you would correspondently lose those spaces and those streets don't exist on the west Side.

Alderman Long asked and on the parking on the west Side, we would lose spaces and would it require a bump out? Currently from Valley Street we have one lane. Would more be required to address that?

Mr. Clougherty replied if we were to remove the parking from the west Side to the east side and flip flop it, you may or may not depending on the alignment. I would have to look at that. I think you probably would. You would have a similar situation on the east side that you currently have on the west Side, coming from Valley Street.

Alderman Long stated Mr. Clougherty has a drawing of the proposed construction that they are going to put in that section. I think it would behoove the Board to take a look at that so we can get the full concept of what we are looking to do.

Chairman Roy stated I believe that was the concept or the design that we saw when it was first brought forward. This is the third time that this Board has taken a look at this.

Alderman Shaw stated I spoke to several people who have come to me to try to offer suggestions for what could be done there without removing that because they like the parking. One of the things that I find, because I have found myself in that position where I am facing the bump out, that there isn't enough warning prior to the bump out so if the entire right hand lane going south had painted arrows for right turn only all the way from Granite Street, I think it would give people more warning that when you get to Auburn you are going to have to be in the left hand lane because cars would begin going over to the left hand lane. There needs to be more of a warning starting at Granite Street that there is going to be a right turn only because I think the sign is a very small sign and it is in front of that convenience store. I think there should be more warning, and right turn arrows painted in the right hand lane would get people to move over into the left hand lane sooner and it would prevent some situations. Some people are going to try to

cut over at the last minute, it happens in other places, but I think given enough warning, it would work.

Mr. Clougherty stated that is certainly something that we could consider. Just so the Committee is aware, in the Master Plan for that area there would be new signals at the intersection and we would also be installing a left hand only turn lane at the north side of Auburn Street and Elm Street intersection so that should provide some improvement for that area as well.

Chairman Roy stated the markings are kind of faded from what you did last year.

Mr. Clougherty stated we are currently at a crossroads. Because it is on the agenda we obviously don't want to spend any money, but the entire area does need to be restriped so we really do need some direction on what the Board chooses to do with this.

Chairman Roy stated that will take away a lot of the confusion.

Alderman Osborne asked do we have any recommendations at all today from yourself, Mr. Hoben or Ms. Stanley?

Mr. Clougherty stated we have a concept as it stands, but we haven't been made aware of any serious accidents or any accidents in that area. We understand that there are some concerns and we appreciate those, but from a traffic calming perspective, it seems to have met the expectations that it was intended to.

Alderman Osborne asked what about diagonal parking on the West Side? If you are going to keep that bump out there rather than parallel...has that ever been thought about?

Mr. Clougherty replied it is currently diagonal parking.

Chairman Roy stated that has to be restriped too. The stripes aren't very clear. When it gets restriped it is going to be a lot clearer for everybody.

Mr. Clougherty stated as part of the Master Plan, there would be a signalized pedestrian crossing further to the south in the area of Green Street.

Alderman Osborne asked so you feel that the way it is is the way it should be?

Mr. Clougherty replied yes.

Alderman Osborne asked Mr. Hoben feels the same way?

Mr. Jim Hoben, Traffic Department, stated it was designed to be placed where it is. Right now, people are getting trapped as they head southbound. Even with the pavement markings we did back in October, the three large Right Lane Only signs, and a Right Turn Only sign next to the signal, and we moved the signal. People just don't get it.

Alderman Osborne asked how do you feel about what Alderman Shaw said? Do you think that is a good idea?

Mr. Hoben asked put the pavement markings down?

Alderman Osborne replied the warnings about merging lanes. In other words, from the left to the right or whatever. Do you think that is a good idea?

Mr. Hoben replied there are no such pavement markings that I know of that do that. It is either arrows or only signs.

Alderman Shaw stated just the arrows was what I was asking.

Chairman Roy stated there are yellow signs on the posts down there. There are three already.

Mr. Hoben stated also, we have looked at starting up closer to Old Granite Street and Lake Avenue. There were concepts that we discussed, but I'm not sure where they are at right now with the consultant.

Alderman Osborne asked so there have been no accidents there so far?

Mr. Hoben replied not that I know of.

Alderman Long stated I travel that daily and I have never seen where cars are merging in. The issue is when there are cars parked diagonally and now you are jockeying for position and there is some road rage going on when that happens. When there is no parking there, you have 17 feet so both cars can fit through. The second thought is that the businesses, I would think, would want more parking. In their letter they allude to that. They are okay with that parking, although imperfect, but the best to them would be parking on the east side. I'm wondering if it would be asking too much to get a rendition of angle parking on the West Side to see how many spots we would lose and what kind of traffic flow would be heading north. I would think that better marking may help, but I don't know. People ought to know by now that it is a one lane and you get caught up in that second lane without thinking and now all of a sudden you want to merge in. It is

not safe even though there may not have been any accidents, I certainly see people getting angry when there is a car parked and both of you can't fit in there.

Chairman Roy stated correct me if I'm wrong, but I think you already said that there would be a 15% decrease if you transfer the parking to the east side because of the curb cuts.

Mr. Clougherty stated that's correct.

Chairman Roy asked you said that there were about 15 to 20 spots?

Mr. Clougherty replied right now there are about 100 and it would be between 80 and 85.

Alderman Osborne stated I was just wondering...the Mayor had some correspondence that I was going over. I would like to know what the problem was or what they had for a problem.

Mayor Gatsas stated thank you, Mr. Chairman and members of the Committee. We have had several calls in our office about the bump out. I can tell you that about two weeks ago there was woman who drove up over the top of it and broke her axel and have to be towed away. I think there is no question that there has not been an accident as of yet. I have been there a few times with some pretty close calls with people trying to make that. The only other place that we have in the City that goes from two lanes to one lane, but there is no bump out, is when you are heading south on Elm Street at Bridge Street. You go from two lanes there into a one lane because you have horizontal parking for probably the first four or five spaces as you go down that way. As that gets altered and you put parking and lose 15% of spaces and put them where they belong on the other side next to the businesses, I think at that point, putting in the horizontal parking you would pick up probably more spaces so that by the time you are done you will have more parking there or at least the same amount of parking. Getting rid of the bump out is going to make a lot of sense.

Chairman Roy stated if you head north on Elm there is no bump out, but when you get to Pleasant Street it goes from two to one as well right in front of the Radisson. I know because it took me about a year to get it through my thick skull that it went down to one. I was already in the wrong lane, but I have corrected that now.

Alderman Lopez stated the only thing that I can say is that I was for this bump out, but a lot of people have contacted me and I agree with Tim that the Master Plan will solve all of this, but we're not there yet. If you can put it on the east side, I think that is the best solution.

Chairman Roy stated I was for the plan too because they came before us and presented the whole thing and told us that it might take a little bit to get there. I have some reservations about ripping out what we already put in. It is going to be costly and I think that as time goes on it will be part of the fabric of the City, just like the other two were. We can receive and file this and come back to it again in the future if more information comes out.

Alderman Osborne stated if we table it, we keep it in front of us at least.

Chairman Roy stated the Highway Department is also looking for some closure here so they can get down there and do the remedial action so that if we are going to keep the bump out then we are not going to have so much confusion.

Alderman Long asked if I may Mr. Chairman, could we get a look at what the proposal would be on the east side?

Mr. Clougherty replied yes, we would be happy to put something together and bring it back to the Committee.

Mayor Gatsas stated I think the discussion that we had last year in regards to this was that it was going to cost about \$4,000 to remove it. That is what my memory is telling me. I think that is the number that came from the department.

Mr. Clougherty stated I think that that is a conservative number.

Chairman Roy stated I thought it was \$20,000 if I remember right, but my memory could be gone too.

Mr. Clougherty stated to construct it I believe it was somewhere around \$5,000 so I can't imagine that it would be any more than that to put it back.

Mayor Gatsas stated I think that if the bump out was removed and the first five or ten spaces were horizontal spaces instead of the tilt ins, that gives people the opportunity for people to come around that corner. I think you have seen the biggest problem when people are trying to make a right on Auburn Street on a red light. The green light is for the people heading south on Elm Street and then you have the guy on the right lane trying to merge into the left lane and if there hasn't been an accident then there will be one there shortly. I'm shocked that there hasn't because I've almost been in a couple. The bump out creates a problem.

Alderman Osborne asked do you feel that this corner here is a safety hazard?

Mr. Clougherty replied I can appreciate the position that the Mayor is advocating. He is getting calls; Alderman Lopez is getting calls. We feel that it provided the purpose of the traffic calming, but if there are concerns, we're more than happy to take the will the Board and implement that along that corridor.

Alderman Osborne stated I guess we don't want to wait until someone gets hurt badly there or anything like that and say I told you so. That is the whole thing that it is left on our shoulders, my shoulders anyway. I have a few intersections in my ward that are really bad. Maple and Spruce Street is very bad. There are accidents there. Accidents are bound to happen sooner or later, but the whole thing is if it is a hazard. Is there any place else that has something like that? Does Nashua or Concord have something like that intersection?

Mr. Clougherty replied not specifically, no. I know the intersections exist all over the place in Portsmouth and Concord, but specifically like this I don't have an example.

Alderman Osborne stated we have a pilot program going here.

Mr. Clougherty stated I wouldn't go that far, but I don't have a specific example.

Alderman Osborne stated well you know where I am coming from. I don't mean it that way.

Mr. Clougherty stated the plan was put together by licensed professional traffic engineers. We don't see any imminent dangers that would be unlawful or not recommended, but we understand and appreciate that there are some concerns that people are having difficulty recognizing the necessity to merge there, and as I said, we happy to put something together.

Alderman Osborne asked did Southern New Hampshire Planning have anything to do with it?

Mr. Clougherty replied I'm not familiar with that.

Chairman Roy asked the firm was CLD correct? It was Ken Rhodes who spoke to us and obviously they consider safety when they design those intersections.

Alderman Long stated I understand the full implementation may work, but we're not there. There is an issue until we get to the full implementation. Do you have an estimated time of when the full plan would be completed?

Mr. Clougherty replied I don't. My understanding is that the monies are sitting with federal highways and the State has to redo their plan to recognize the improvements that we are doing here. I don't have a definitive time frame.

Alderman Long stated we are looking at October minimally and probably November or December. I think that is the issue. I think the issue is that that is not the full plan; it is half the plan. I agree that when you are heading south on Bridge Street that there are two lanes and it works well. People let the next guy go in and it works well. This one, I have seen times when I thought for sure that there was going to be a bumper hit and people yelling at each other. I think it creates a problem until the full implementation is in there. I would like to see the bump out knocked down and give ten or fifteen feet for traffic to merge across the street because there are people in the right hand lane to take a right who want to go straight. Once you get one waiting for the light to change, they all back right into there. They are not taking a right and they don't intend to take a right. I think what was drawn up was a good plan, but we're not there yet and we're not going to be there for quite a while I suspect. I would recommend that the bump out be taken out and give how many feet you need to give to have traffic merge at the light and keep diagonal parking after that.

Chairman Roy stated the money you said was held up with the feds, but the striping would take place right away correct?

Mr. Clougherty replied we could restripe if that was what the Committee voted for.

Alderman Shaw stated I was trying to think of two things. If you took the bump out and put in parallel parking for a few feet and then do the head in parking after that, I think that would make sense. I think it is a very awkward intersection and I drive the City all the time. There isn't enough warning and it is very awkward if you are coming east on Auburn Street to try to even get around to make a right hand turn so I think that it was probably a bad decision. I think for the amount of money it would cost to remove it, it would probably be worth it for the safety of the citizens.

Alderman Osborne stated I think this whole study was done cart before the horse. We should have had all these other things done before they decided to put a bump out there. Now we have the bump out and we have these other things that we are trying to do that we should have done first so it is a catch 22 in my book, but whatever the Committee wants. I think we should table it until we have more information.

Chairman Roy asked can you come back to the next meeting with more information?

Mr. Clougherty replied certainly.

On motion of Alderman Osborne, duly seconded by Alderman Long, it was voted to table this item and have Highway provide a design plan for the bump out on the east side of Elm Street.

Chairman Roy addressed item 8 of the agenda:

8. Communication from Alderman Lopez relative to the impact of the ordinance prohibiting parking within 15 feet of a fire hydrant.  
*(Note: A copy of the hydrant report from Water Works is available for viewing at the Office of the City Clerk.)*

On motion of Alderman Long, duly seconded by Alderman Osborne, it was voted to discuss this item.

Alderman Lopez stated you might ask Brandy and Jim to come up because I'm sure you'll have some questions. This has been a subject with the Board of Mayor and Aldermen and the Ordinance that was passed that was brought up at the full Board in reference to not parking within 15 feet of a fire hydrant, which is the law when you take a driver's license test. After the meeting of the last Board of Mayor and Aldermen, I did some research and thanks to Jim Hoben who has a world of knowledge of these things and pulled out some RSAs in reference to Manchester being a compact area, the entire City versus just Elm Street or Merrimack Street. The point that I was trying to make was that the Ordinance allows a PCO to go to any neighborhood and ticket somebody who is parked less than 15 feet from a hydrant. Two things: those in the neighborhoods don't have the lines striped as we do on Elm Street and I know there would probably be a cost to that. I'm not suggesting that. If that is the only solution then that is a different situation. The Ordinance could read no parking in front of the fire hydrant or the front bumper near a fire hydrant. There has to be some solution in the Ordinance so that people in the neighborhood are not going to get ticketed. Somebody can tell you that we won't ticket them, but the Ordinance does provide that opportunity for a PCO to go there and ticket if an Aldermen were to call because neighbors are parking too close to the fire hydrant. I think you as the Chairman and former firefighter mentioned at a Board meeting that you don't need 30 feet to hook a hose up to a fire hydrant and I totally agree with that. With that, I'll allow the committee to ask questions of the professions in front of us, Brandy and Jim, in

reference to State law section 229:5 which has been passed out to the entire Committee whereby the entire City is a compact area.

Alderman Osborne stated when all is said and done, I would like to make the motion for five feet on each side of the hydrant.

Alderman Long stated I'll second that if you are looking for a second.

Chairman Roy stated the law says 15. That is a state law?

Mr. Hoben replied it does.

Chairman Roy stated so if we change that in this City then we are going to have responsibility to everyone who comes into the City from outside of the City to let them know what the rule is. Does that mean that we have to paint them all?

Mr. Hoben replied paint or sign then, either way.

Chairman Roy asked how many hydrants are in the City?

Mr. Hoben replied I believe there are 2,600.

Chairman Roy stated it sounds like a pretty big task to me. I agree that we certainly don't need 30 feet to hook up a fire hose. I just think the more prudent approach would be to leave it at 15 feet and in a case by case basis we can pare that down just as we have in the Elm Street area. There are some on Elm Street and one on Merrimack Street where there are six or eight feet on each side. Those are marked because they are different than everything else. I would rather be very cautious about having an effect on people coming into this City and don't know what is going on. How many tickets were handed out last year for fire hydrant violations?

Ms. Brandy Stanley, Parking Manager, replied it is probably close to 100.

Chairman Roy asked and we have one million people who use the kiosks every year?

Ms. Stanley replied we do one million transactions at the Pay and Display meters downtown.

Chairman Roy stated that translates to 100<sup>th</sup> of 1%. I have seen some of the pictures that you have taken. I don't care if you had one foot on each side they would have been tagged because they were right on top of them. I just don't see a

need to spend the money on striping and signing, but the Committee would have their say on that.

Alderman Shaw stated I had mentioned at one point striping them and then I thought about it and I think it is an expense that is not necessary. I think it is common knowledge that it is in the Ordinance as 15 feet. You can use your best judgment and I don't think that police officers, from my experience, are going to get out there with a tape measure and go car to car every time they see someone near a fire hydrant. I'm not being facetious. I think it is probably something that will be accepted and done.

Alderman Osborne stated I don't think there is any need for restriping at all. You have 15 feet out and that is what everyone knows in their own mind right now and by moving it down to five feet...no striping involved when the police officer goes by. I guess they can guess at five feet on each side better than they can 15. I don't see any reason why they have to be restriped anyway. They haven't been striped at all these years at 15 feet so why are we going to go around and do all of them at five feet? It doesn't make sense to me.

Mr. Hoben stated the ones that are currently in the zones where the parking stalls are painted are exed out.

Alderman Osborne stated some of them are, but not all 2,600.

Mr. Hoben stated not on the outskirts; it's only where you have parking stall painting are they boxed out. It is in the downtown area and the one way system.

Alderman Osborne stated I still don't think we need to stripe. I think we can leave things the way they are. In other words, you have 15 feet in some places now. Is that what you are saying? Those have to be restriped?

Mr. Hoben replied outside of one, they should all be 15. There may be a few on the north side of Elm Street that go way back to the 48 Ordinance that listed six feet from a hydrant. Somewhere along the line, the State came in and made it 15 on the RSA. Those streets were not changed since 48, the parking configurations or regulations. That's what happened on Franklin Street. That street had been the same since way back when.

Alderman Osborne stated so if the State statute stays at 15 feet and ours is five feet, what would be the confusion with leaving it the way it is? It would save a lot of people tickets.

Mr. Hoben replied only in the painted areas in the downtown sections.

Alderman Osborne stated that's fine. As time goes on, it is easier to get rid of them than to paint all of them at five feet. That's all I'm saying, just leave things alone and if we make the Ordinance at five feet on each side so be it.

Chairman Roy asked for enforcement issues, is there a need to have these things striped? I ask that because I never gave out a ticket in my life. Does it make a difference if it is striped or not?

Ms. Stanley replied no.

Chairman Roy asked so if you give out a ticket even though it is not striped it will still stand up?

Ms. Stanley replied yes.

Alderman Lopez stated I didn't get that last part. Are you saying that if you give out a ticket and someone is parked less than 15 feet from a fire hydrant in a neighborhood that person can appeal the ticket and he's not going to pay it? Am I understanding it correctly?

Chairman Roy replied no, she said that even though the stripes aren't there, the ticket would still hold up.

Alderman Lopez asked the ticket would still hold up for 15 feet?

Chairman Roy replied or five feet she said.

Alderman Lopez stated but if we are a compact area in the whole City under State law and Department of Transportation, how can we do that?

Chairman Roy asked how can we do what?

Alderman Osborne asked can we call up Lieutenant Tessier? She might have an idea about ticketing.

Alderman Long stated the statute reads 15 feet so that is in the statute. If someone gets a ticket it is 15 feet within the whole City, unless the City changes it and that is the issue that I have. We need to be consistent so people know. If I am coming from Merrimack, I'm assuming that it is 15 feet so I'm going to park 15 feet even though Manchester may have changed it to 5 feet. The issue came forward because of parking in compact areas downtown. Actually, Manchester is a compact area so you are allowed in a compact area to decrease the 15 feet. I know

there were parking issues within the downtown or surrounding downtown when we were looking for more parking and that is what brought this forward. My sense is that we should be consistent. If we are going to make it five feet or three feet within the downtown area for more parking then we ought to make it consistent throughout the City. From what I am understanding, if we changed the Ordinance to five feet nobody would get ticketed unless they were closer than the five feet and that would stand up in court.

Chairman Roy stated I agree that we should be consistent and if we do this it will be to get more parking down here. The last issue we just looked at, we're trying to get more parking down here and we're saying that we want to go back to less parking so that is not consistent to me. We'll cross that when we get there.

Alderman Long stated I can address that though. The latter issue was an issue of safety. There have been calls to the Mayor's office and Alderman Lopez with respect to safety issues. This is just changing an Ordinance.

Chairman Roy stated so what you are saying is that the traffic engineer designed an intersection that wasn't safe.

Alderman Long stated the design is safe, we just haven't implemented the design yet.

Alderman Lopez stated I don't want to prolong this. I have to point out that the Ordinance was passed for the compact area only downtown, but the entire City is a compact area. I think that if you read the RSA and Jim has been around a long time and he is the one who pointed this out...If the entire City is a compact area and we designated it and the Department of Transportation designated it as a compact area because of neighborhoods why would we say 15 feet from a hydrant? That is 30 feet in neighborhoods where we aren't allowing people to park. Given the authority under the Ordinance that was passed, the PCO or an officer on a good, bad, or indifferent day, can turn around and give that person a ticket. Yet downtown, they aren't going to get a ticket. It doesn't make sense to me. That's point that I am trying to bring out here. The whole City is a compact area. They need all the parking that we can give and it is not just downtown that needs parking; neighborhoods need parking. That is the last point I'll mention.

Alderman Osborne stated most hydrants downtown are on the corner anyway.

Chairman Roy stated there are plenty of half way hydrants.

Alderman Osborne stated there are plenty, but there are a lot of them on the corner also. We're only taking five feet off of the other end so whatever. Like I said, there is no sense in striping the entire City. We should just make the City Ordinance five feet and that's it. What you are going to be losing is revenue through the tickets. Either you want to get the parking or you want to pay and get the money.

Chairman Roy stated I don't think from the discussion here that we are going to be losing anything in tickets. There aren't that many given out.

Alderman Osborn stated well 100 tickets...how much are they?

Ms. Stanley replied it is \$75. The vast majority of tickets that we write are for cars within the five feet anyway.

Chairman Roy asked what is the cost to implement this, Mr. Hoben?

Mr. Hoben asked to paint it out or just to implement it without signage?

Chairman Roy asked can we implement it without painting and signage?

Mr. Hoben replied we would have to go back and pull out all of our signs that are outside of our business area of the downtown.

Chairman Roy stated there is going to be some cost to this because we are going to have to pull them out and then replant them essentially.

Mr. Hoben stated and we have to reordinance all the regulations if there is footage that goes up to the hydrant.

Chairman Roy asked do you have an idea of how much that would cost?

Mr. Hoben replied I have no clue how much it would cost for the signage.

Alderman Long stated what I am hearing is that the related costs are pulling up the old signs.

Mr. Hoben stated pulling up the old signs and revising all of the regulations.

Alderman Long asked what is revising all the regulations going to cost us?

Mr. Hoben replied you have to redo your signage.

Alderman Long asked so we have to pull up all the old signs that say 15 feet and put in signs for what?

Mr. Hoben stated if you had a regulation for a limited parking zone you have to rescind your existing limited regulation, put a new one in and move your signage.

Alderman Long asked I'm not understanding the new signage that we need to put back up.

Mr. Hoben stated if you have a one hour zone, right now you measure off in rough footage to a certain point. Now you are moving that point.

Alderman Long stated so paperwork needs to change; the written Ordinance needs to change.

Mr. Hoben stated exactly.

Alderman Long asked but there isn't a new sign that needs to be installed saying that you can now park this close?

Mr. Hoben replied no.

Alderman Long stated the only association of cost is removing the signs that say no parking within 15 feet of hydrant.

Mr. Hoben stated right.

Alderman Long asked if this were to go through do we need to put up signs no parking within five feet? I don't think we would have to, would we? We would be removing signage. That seems like a good thing. That is the only cost associated that you know of?

Mr. Hoben replied there is probably a cost associated with removing the striping. We have to scratch off the old stalls and restripe them in the downtown areas.

Chairman Roy stated let me get this straight. You have signs up 15 feet on each side of the hydrant that say one hour parking. In that case you are going to have to replant those signs a little closer to the hydrant and they are still going to say one hour parking. As long as that is going to be done and we're not going to just take those signs up and then have people guessing.

Alderman Long stated I didn't understand that. There are signs that say one hour parking now?

Chairman Roy replied they may not say no parking hydrant. They may say at each end of the parking zone one hour parking. Those are going to have to be moved closer to the hydrant now. That is obviously just downtown.

Alderman Long asked is that the case? Could you have a one hour parking and park on both sides of that one hour parking sign? Do you have to move to the boundary?

Chairman Roy replied no, it is parking on the ends of the hydrant zone. Right now it is 30 feet wide. If we say five feet it is only going to be ten feet wide. Each one of those signs is going to move in.

Alderman Long stated well that's the question I'm asking. Do you have to move those signs in? I have seen signs for parking that aren't on the border of where you could park. You could park in front of and behind that sign. From what I understand, the one hour zones are parked on the border so if there are two they are 30 feet apart. If we go five feet, what I understand is that we have to move those signs ten feet both ways. Do we have to move those signs ten feet both ways?

Alderman Osborne replied only if they have an arrow.

Alderman Long stated that makes sense. We don't have to move if it just has one hour parking.

Mr. Hoben stated we have to move those signs to the border.

Alderman Long stated you would have to move those signs to the border.

City Clerk Matt Normand stated I wasn't clear on the motion, but I believe the intent is to move that restriction of prohibitive parking back to five feet within the hydrant rather than the 15 that currently exists. Is that correct?

On motion of Alderman Osborne, duly seconded by Alderman Long, it was voted to move the restriction of prohibitive parking to five feet within a fire hydrant rather than the 15 feet that currently exists.

Chairman Roy addressed item 9 of the agenda:

9. Communication from Alderman Greazzo regarding high noise levels caused by modified exhaust of vehicles.

On motion of Alderman Long, duly seconded by Alderman Shaw, it was voted to discuss this item.

Alderman Greazzo stated I submitted the letter for request of review of the City's position on this. It is the time of year when you hear all the motorcycles, loud cars and stereos and if we can have the Lieutenant Tessier give the status as to what the Police are actually doing this season. I'm concerned as well as others about how the Police Department is enforcing the loud motorcycle noise.

Ms. Maureen Tessier, Police Department Lieutenant, stated actually this past weekend we put out an enforcement detail on Saturday evening. It entails using a number of officers to flag in motorcycles that we believe are exceeding the decibel levels and using a machine that rates those levels to determine whether or not they are in violation.

Alderman Greazzo asked is that something you do on an ongoing basis?

Ms. Tessier replied throughout the season we try to do it about once a month.

Alderman Greazzo asked what about instances of officers just in their day to day routine coming across a motorcycle that is loud? Are they able to have it show up at the station for a test? Do we issue citations for those?

Ms. Tessier replied it is a difficult law to enforce because you have to be very carefully about how you proceed with the enforcement because ultimately you are taking someone off the street for no cause. You are only doing it by what you are hearing. We are always a little bit cautious about how we proceed with that because we don't want to be violating someone by making an illegal stop. That is why we use this enforcement effort where we have officers who are trained to use the decimeter to rate the noise level and they have the experience by their ear to know when something sounds pretty loud to bring them in. I'll be honest with you that in a couple of these enforcements that we have done this past season, a lot of them seem very loud, but they do meet the legal levels. We issue minimal tickets on that particular statute. We do have a City Ordinance that allows us to do some noise levels that can be applied to car stereos and that sort of things, but the motorcycle situation has its challenges with enforcement.

Chairman Roy stated we do have rules in place. There are levels that they can't exceed. It is an enforcement issue.

Ms. Tessier stated absolutely. We have that one machine that officers have to be trained to use and we only have a couple officers within our division who are trained to use it so that is another logistical issue that we deal with as far as the enforcement part goes. Certainly, if the exhaust in the motorcycles was modified in anyway, there can be enforcement taken in that regard, but as far as enforcing the noise part and the decibel level part, we prefer to do it with trained individuals who can use the equipment the appropriate way.

Alderman Long stated one of the questions that I had was answered. We only have one. How much are those meters?

Ms. Tessier replied I'm sorry, I couldn't estimate that.

Alderman Long stated you said this Saturday you had an initiative. Is that like a sobriety check?

Ms. Tessier replied exactly. It also involves detaining these riders for several minutes of time and they actually have to rev their motorcycles so we can test the levels. We actually try to do it in more of a commercial area so we're not revving motorcycles at Lake and Hall Streets and disturbing neighbors. The actual testing process itself causes noise.

Alderman Long stated from what I understand, you plan on doing this initiative once a month during the summer.

Ms. Tessier replied again, there is always a manpower issue, but that is certainly something that we recognize as an issue in the City and we are planning to proceed at least once a month. We do a number of education initiatives where we also work with local businesses. Manchester Harley Davison has had us down where we have done this to make sure bikes meet standards. That has proved to be very effective as well as educating the riders so that they are aware. Some of them aren't aware that their bikes are exceeding acceptable levels. It is a multi prong effort to not only do enforcement, but education as well.

Alderman Shaw stated in your defense, I think it is easier to enforce speeding rather than the noise because the noise goes with the speeding. You don't see a motorcycle going five miles per hour that is exceeding the decibel level. I think a lot of the enforcement comes from observing them speeding. Some of the cars can be as loud.

Alderman Shea stated I have in my notes a couple of references here concerning noise citations. This happened in September 2000 and at that time, in spite of the fact that there was enforcement, 10,000 citations were issued for motor vehicle violations that year. It just goes to show you that it is a long standing problem. In 2006, an Ordinance was adopted by this Board and in it under j it says “modify or change the exhaust muffler, air intake muffler or any other sound-reducing device in such a manner that the noise emanates from the motor vehicles and exceeds the sound pressure levels established in table b of 94:20 except where committed by State law.” I think that is a concern that we all have about State law. However, City law should govern the conduct, in my opinion and I think others, concerning how much noise emulates. I know that he mentioned that boom boxes exceed noise levels that are certainly appropriate for neighborhoods and so forth. Mr. Chairman, I did ask if one of my constituents might address the Board, at your pleasure of course, concerning different types of information that he has garnered from different communities. I’m not sure if you want to accept that.

Chairman Roy stated time is short and this is not a public hearing. I would rather not have anybody from the public speak to this at this time.

Alderman Greazzo asked Lieutenant Tessier, do you envision a better method of enforcement rather than a sobriety check point?

Ms. Tessier replied well again, part of the enforcement initiative involves using that equipment to actually test the levels so I think we are doing it in the most efficient way that we can and in a way that will withstand any kind of challenges in court.

Alderman Greazzo asked if we were able to get some more decibel meters into the cruisers and you had probable cause to believe that a vehicle was exceeding noise levels, are you allowed to pull them over then and test them on the spot?

Ms. Tessier replied theoretically I suppose that would be possible. That would involve costs of not only purchasing the equipment, but training the officers to use it as well.

Alderman Osborne stated Lieutenant Tessier, motorcycles, automobiles...with the automobiles they have those basses that shakes pictures off the walls. What is the decibel read on one of those? Are those milder than a motorcycle? Or because it is a bass it doesn’t show up as well on a decibel meter?

Ms. Tessier replied I couldn’t comment on that.

Alderman Osborne asked how do you judge that on a car?

Ms. Tessier replied as far as what they project in decibels, I couldn't comment on that. I wouldn't know. What we ultimately use for music being played out of a vehicle is the City noise Ordinance and that give us a framework if it is in 50 feet and if it is unreasonable, we can use that to address the stereo situation. As far as the exhaust goes on a vehicle as well as with motorcycles, we are subject to State law. Whether or not the exhaust has been modified is a violation of the law, but then specifically with the motorcycles we have the decibel level that we have prove is exceeded to enforce it.

Alderman Greazzo stated if I might, in the future, suggest an Ordinance specifically targeted towards the bass emanating from vehicles. If I can feel your music in my car...an officer sitting at a traffic light feeling the music coming from a car next door might be something that would justify them to pull that vehicle over and ask them to turn it down.

Chairman Roy asked do you want to work with the Police Department and try to come up with something like that?

Alderman Greazzo replied sure.

On motion of Alderman Long, duly seconded by Alderman Osborne, it was voted to receive and file this item.

## **TABLED ITEMS**

10. Communication from Brandy Stanley, Parking Manager, submitting revisions to 70.06 and 70.36 for Overtime Parking.  
*(Note: Tabled 1/11/10)*

On motion of Alderman Long, duly seconded by Alderman Osborne, it was voted to remove this item from the table.

Chairman Roy stated item ten is about enforcement for the parking. Brandy can you briefly discuss this please?

Ms. Stanley stated currently the overtime parking enforcement Ordinance for the two hour limit or the one hour limit states that in order to be in compliance you need to move to a different space after two hours or one hour. The problem became apparent in 2006 when we installed a Pay and Display meter. One of the things that we did was remove the spaces in between the lines in the parallel parking spaces. This has become a problem because since there is no space delineated, people are trying to work around the two hour limit and they are

rolling up and back two or three inches every two hours and because of that, we are unable to give them citations because we don't have a definition of a parking space. In the last six months or so I have been getting a lot of phone calls, even on Saturdays, from some of the business owners downtown complaining about vehicles that have been parked outside their business all day, every day. There is not a whole lot that we can do because they have figured out that they can roll up or back two or three inches. What this Ordinance does is require a vehicle to move off the block entirely and they cannot come back until the next calendar day.

Chairman Roy stated so it is going to stop them from circumventing the turnover.

Ms. Stanley stated that's the idea.

On motion of Alderman Long, duly seconded by Alderman Shaw, it was voted to approve this item.

11. Communication from Brandy Stanley, Parking Manager, requesting that public parking be allowed at the Canal Street parking lot since it is not being utilized for commuter parking to the extent anticipated.  
*(Note: Tabled 4/5/10)*

This item remained on the table.

12. Communication from Jack Burke and Bruce Willey of the Kiwanis Club of Manchester requesting approval to repair, replace and add road signs.  
*(Note: Letters A and B of the communication were approved by the BMA on April 20, 2010. Letter C Add Locations, was tabled on 4/5/10, The Wayfinding Policy is attached.)*

This item remained on the table.

There being no further business, on motion of Alderman Long, duly seconded by Alderman Shaw, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee