

**City of Keene  
New Hampshire**

**BICYCLE PEDESTRIAN PATH ADVISORY COMMITTEE  
MEETING AGENDA**

**Wednesday, July 10, 2019**

**8:15 AM**

**City Hall, 2<sup>nd</sup> Floor Conference Room**

**Members:**

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

**Staff:**

Will Schoefmann, GIS Technician  
Kürt Blomquist, DPW Director

**Members not present:**

Linda Rubin

**1. Roll Call**

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

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

Mr. Mullins stated that a number of years ago they decided to standardize the rules of procedure of boards and commissions as they discovered that legislative bodies were not always conforming to rules and regulations. He said as a public body, the City has a right to create various boards, commissions and committees to help the City operate (both quasi-judicial and legislative bodies). He explained that the difference between legislative and quasi-judicial bodies is that the latter have a higher risk factor as they are basically judging applications that come before them and have greater decision-making power. Mr. Mullins stated that BPPAC is a legislative body and the risk factors are lower as decision-making does not typically end up in the Superior Court. Nevertheless, he said, BPPAC is still a legislative body and people are not always accustomed to operating in a legislative environment. He said in the private sector, business can be conducted by email, phone or personal discussions, however, in a public body certain requirements must be followed according to RSA 91A ("Right to Know" law). For example, meetings for public bodies must be advertised 24 hours before a meeting, meeting in a public location and the public has the right to attend, as well as other particular requirements.

Mr. Mullins noted the Rules of Procedure and encouraged members to read them. He said they lay out the road map for what is required under state law for the operation of legislative bodies, meeting requirements, minute requirements and quorum. He said in connection with the quorum, the City has changed the rules a bit from prior iterations as there were some problems encountered. He said each body is allowed a certain number of bodies by City Code, for example, BPPAC can have 9 members, therefore quorum is 6 (majority plus one). He said it used to be that you could have a quorum of the number of appointed members instead of the number of allowable bodies. He said it became difficult

administratively to track and make determinations if there was a quorum or not and that became problematic as public bodies cannot operate without having a quorum. He said minute-takers leave after 15 minutes if there is no quorum. Mr. Mullins stated that a quorum must include individuals physically present in the room so for BPPAC, there needs to be at least 6 people in the room. He stated that they can have people appear through telephonic conversations, however, you cannot use that individual to make a quorum. He noted that is a State law and not a City law.

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

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

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

Mr. Mullins left the meeting.

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

### **3. Approval of June 12 minutes**

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

#### ***Revisions are as follows:***

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

4) **Old Business**

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

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

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

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

**-West Street Pedestrian Counts**

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

Mr. Schoefmann stated that he has not heard anything about services for Mr. Little and Mr. Redfern stated he has not heard anything either. Mr. Redfern said that the Mayor spoke about Mr. Little at the Four on the 4<sup>th</sup> event and honored him with a moment of silence. Mr. Schoefmann said that Mr. Bohannon suggested dedicating a portion of the trail section between Emerald and Island Street as "Little Way" in memory of Mr. Little. Chair Benik suggested adding the item for discussion to next month's agenda. Mr. Redfern noted that there are segments within each trail which are named separately so there are precedents for naming the segments individually. Mr. Schoefmann agreed that Appel Way has a sign as well as other locations.

**-Public Outreach and Events Subcommittee**

Chair Benik asked members if they would like to move forward with the subcommittee idea. Mr. Redfern added that he thinks it is important to let the region know that there is a multimillion dollar facility being maintained very well by the City of Keene and he is in support of public outreach and

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

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

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

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

**-Downtown Revitalization Project-** Mr. Blomquist stated that the Downtown Revitalization project will be kicking off this fall and they are working on how it will align with the Arts and Culture corridor. He said that project is led by the Monadnock Economic Development committee (MEDC) and they are looking at a pavilion type facility on the MGM Keene State dirt lot. He said the new skate park will also be part of this project. They are also looking at picking up the St. James store and

potentially converting it into maker- space. Mr. Blomquist is there is a concept of closing Gilbo Avenue between Main Street and Wilson, St. James Street, as well as interest in purchasing Railroad Square from the City. He stated that they want to do some improvements on that property, for example, build a small building there that would be both maker-space and residential space, as well as putting a stage behind the Monadnock Co-Op. Mr. Blomquist said they are planning to hold public forums sometime this summer.

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

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

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

Mr. Redfern stated that the TAP grant award for Park Avenue loop project which included Ammi Brown Road which was submitted four years ago and based on costs at that time. He said he is concerned about what the cost will be in today's dollars. He stated that all of a sudden they have come up with the idea of fixing traffic lights and crossings and that seems like a tax-payer, City-type project. Mr. Blomquist replied that these improvements fit perfectly within the TAP project as they are pedestrian facilities. Chair Benik noted that that the crossing can use some work and asked what the plan is. Mr. Blomquist replied that they will aim to pull down the old flashing beacon and move crosswalks back away from the intersection. He said they will then install rapid flashing beacons (RFBs). He stated that they do not yet know how funding will shape out but there might be some additional TAP money from other projects or it might be funded entirely locally. He said he is

concerned about projects being over budget but right now he is hoping to get the approval as the proposal has been at DOT for almost five months and the stalling is not on the City's end.

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

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

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

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

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