



**LEBANON PEDESTRIAN & BICYCLIST ADVISORY
COMMITTEE
DECEMBER 5, 2023 - 7:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

- 1. Call to Order**
- 2. Approval of Minutes**
 - A. November 7, 2023
- 3. Open to the Public**
- 4. Study Items**
 - A. Ethics training with the City Manager
 - B. Rod Finley & David McNamara will join the meeting to discuss the Mascoma/Mechanic/High intersection design
 - C. Updates from Other Boards
 - Planning Office - Planning Staff
 - Safe Routes to School - Planning Staff
 - City Council
 - Planning Board/CIP Meeting
 - Police Reports
 - Mascoma River Greenway Coalition
 - Class VI Roads
 - State of NH Updates
 - Rails to Trails
 - Communications Plan
- 5. Other Business**
- 6. Future Agenda Items**
- 7. Adjournment**

The order of agenda items is subject to change.

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

DRAFT

**PEDESTRIAN & BICYCLIST ADVISORY COMMITTEE
REGULAR MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL &
REMOTE VIA VIRTUAL PLATFORM LebanonNH.gov/LIVE
7:00 PM, NOVEMBER 7, 2023**

MEMBERS PRESENT: Colin Smith (Chair); Marie McCormick; Haynes Bunn; Sean Dittrich; Erling Heistad (City Council)

MEMBERS ABSENT: George Sykes (City Council, Alt); Amy Chan; Jared Toon (Alt); Clifton Below (Alt) (remote); Dave Koch (Alt)

STAFF PRESENT: Tim Corwin (Deputy Planning & Development Director); Catheryn Hembree (Associate Planner); Rebecca Owens (Senior Planner) (remote)

1) CALL TO ORDER:

Chair Smith called the meeting to order at 7:00 PM.

2) APPROVAL OF MINUTES

A. October 3, 2023

A Motion was made by Mr. Dittrich to accept the meeting minutes of October 3, 2023, as amended. Seconded by Ms. Bunn.

Amendments:

Page 2, Line 38-39: Change to “The Committee brainstormed future rides and walking events.”

**The vote on the MOTION was approved (4-0-0).*

3) OPEN TO THE PUBLIC:

Tim Corwin noted that Deputy City Manager, Nik Coates, will be leaving the City for another opportunity.

4) STUDY ITEMS

A. Department of Public Works 2024 Operations Cycle Presentation and Discussion

The Committee noted that this presentation would be tabled to a future meeting.

B. General Q & A with the Department of Public Works

The Committee reviewed correspondence from Jay Cairelli, Interim DPW Director.

Ms. McCormick asked if something could be considered as an interim visibility item for crosswalks, while waiting for them to be paved. Chair Smith noted that the way the striping has been completed in the past has been a bit of a concern, as it has been wide. This should be a conversation with DPW moving forward.

1 Ms. Bunn noted that, when some of the streets were previously widened, it makes people drive faster. She
2 asked if the City could consider slower speed limits, stop signs, and/or potential speed studies. Ms.
3 Owens suggested adding these considerations into the City's SeeClickFix system.

4
5 Mr. Dittrich asked about the solid crosswalks that were previously installed. He had submitted a question
6 regarding DPW working with Arts & Culture regarding potential crosswalk designs. The answer given be
7 DPW is that the Federal Highway Administration does not support crosswalk art at this time. Ms. Owens
8 explained that a Safety Action Plan will hopefully be funded next year, which could then lead to
9 additional funding for other safety items, such as signals or pedestrian beacons.

10
11 *Erling Heistad entered the meeting at 7:20pm.*

12
13 C. Presentation re: Strava Metro

14
15 Ms. Bunn explained that Strava Metro is a tool that is open to transportation groups to connect to a free
16 platform. This allows public data to be aggregated into a dashboard that shows where people walk/bike
17 around an area.

18
19 The Committee reviewed some of the features of Strava Metro.

20
21 D. Updates from Other Boards

22
23 • Planning & Development Department

24
25 The Committee reviewed the plans for the roadway reconstruction of Mechanic Street, High Street, and
26 Mascoma Street intersection. The project should be out to bid by late winter 2024.

27
28 It was noted that the Foundry Street project will be before the Planning Board on Monday for discussion.
29 This could be a chance for the Committee to submit any additional comments it has.

30
31 *Chair Smith exited the meeting at this time.*

32
33 • Planning Board

34
35 Ms. McCormick asked about the second phase of the Brady Sullivan area of development. Mr. Corwin
36 explained that half of the building permits for the first phase of this development were just issued. The
37 project should be completed within approximately 24 months. The only ped/bike item required as part of
38 the project is a widened shoulder on the north side of Prospect Street.

39
40 • City Council

41
42 Mr. Heistad stated that the Council is focused on the budget at this time.

43
44 • Police Reports

45
46 Ms. Bunn stated that there were no additional crashes involving cyclists or pedestrians in September.
47 There was a crash in August that was previously unreported, leading to a total of four for this year to date.

48
49 • Mascoma River Greenway Coalition

50
51 There was no update at this time.

52
53 • Class VI Roads

There was no update at this time.

- Rails to Trails

Mr. Dittrich stated that Ms. Chan has left the Friends of the Northern Rail Trail. The Friends of the Northern Rail Trail has decided not to continue to fund the Cycling Without Age program under its umbrella. This program will likely be picked up by Lebanon Parks & Rec.

- Communications Plan

There was no update at this time.

5) OTHER BUSINESS

Adams Carroll stated that he has heard feedback from drivers that there have been concerning interactions with people cycling or scootering without lights now that it is getting darker earlier. He suggested buying and distributing lights to those who need them. The Committee discussed ways to distribute lights.

6) FUTURE AGENDA ITEMS & FOLLOW-UP NEEDS:

A. Bike Friendly Community Designation Renewal

The Committee discussed that they would further discuss this item in the winter.

B. Safety Action Plan/Vision Zero Policy

The Committee discussed that they would further discuss this item in the winter.

C. Route 10 Ped-Bike corridor

There were no updates at this time.

7) ADJOURNMENT:

A Motion was made by Mr. Dittrich to adjourn the meeting. Seconded by Mr. Heistad.

**The vote on the MOTION was approved (4-0-0).*

The meeting was adjourned at 8:26 PM.

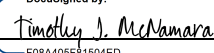
Respectfully submitted,
Kristan Patenaude, Recording Secretary



City of Lebanon
New Hampshire

CITY COUNCIL POLICY

ETHICS AND CONFLICT-OF-INTEREST FOR ELECTED AND APPOINTED CITY OFFICIALS

<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
CC-108 <i>Formally 12-02-C</i>	05/02/2012	08/04/2021	Page 1 of 6
<i>Approved by:</i>	City Council DocuSigned by:  F08A405F81504ED...		

Section 1.0: PURPOSE

This policy is to set forth standards of ethical conduct to assist elected and appointed City officials when they are in the performance of their duties, so as to maintain and enhance a tradition of responsible and effective public service. As such, the City of Lebanon expects our elected and appointed City officials to:

- Act in the best interest of the City and not for any private or personal gain.
- Disclose any potential conflicts of interest— personal or pecuniary—in City matters that come before them for action.
- Recuse themselves from decision-making if they have a conflict of interest.
- Be honest, independent, impartial, and responsible in their actions.
- Make decisions and policies through the proper channels and procedures of government.
- Openly conduct the public's business, unless legally confidential under New Hampshire statute (RSA 91-A:3), in a respectful and civil atmosphere with due care, competence, and diligence.

Section 2.0: SCOPE

This policy applies to all City officials elected by the voters or appointed by the City Council.

Section 3.0: DEFINITIONS

Elected and Appointed City Official – City Councilors and Members of City Boards, Committees, and Commissions, when acting in a position other than as a member of the general public.

Body - A formal group of elected or appointed municipal officials, such as the City Council and any City Board, Committee, or Commission.



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Conflict of Interest – A situation or circumstance in which one’s personal or pecuniary interest has the potential to interfere with the proper exercise of one’s public duty, particularly when deliberating or voting as a member of the City Council or any City Board, Committee or Commission. That interest must be “immediate, definite and capable of demonstration; not remote, uncertain, contingent or speculative” (*Atherton v. Concord*, 109 N.H. 164 (1968)).

Pecuniary Interest – Any private financial advantage (whether in the form of money, property, commercial or other interest), the primary significance of which is economic gain from the outcome of one’s official actions. Financial advantage applicable to the public at large, such as reduced taxes or increased general prosperity, does not constitute a pecuniary interest, for the purpose of this Ethics and Conflict-of-Interest Policy.

Personal Interest – Any direct benefit or non-financial interest in the outcome of a matter, when such benefit or interest could influence one’s official actions. Examples of direct personal benefit include family (by blood or marriage), employment, and/or business relationships that would bias one’s official decision-making against the public interest. Official interest as a function of one’s elected or appointed position does not constitute a personal interest, for the purpose of this Ethics and Conflict-of-Interest Policy.

Recuse – To remove or excuse oneself from participating in an official action due to an actual or potential conflict of interest. Recusal means removing oneself completely from all further participation as a public official in the matter in question. Elected or appointed City officials who are recused shall immediately leave the table of deliberation and sit in the audience with the other members of the general public. Recused officials shall not participate in further discussions unless they clearly state for the record that they are doing so only as a member of the general public.

Section 4.0: POLICY DETAIL



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The proper operation of democratic government requires that elected and appointed public officials be independent, impartial, and responsible to the people; that government decisions and public policy be made through the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government officials to perform their duties free from private influence upon the public interest.

Section 5.0: PROCEDURES

1. Elected and appointed City officials shall avoid conflicts of interest and shall strive to recognize them.
2. When an elected or appointed City official recognizes a conflict of interest, he or she shall publicly disclose the reason(s) for the conflict at the earliest possible opportunity and shall recuse himself or herself from any and all official activity on the matter to which the conflict pertains.

When an uncertainty arises as to whether an elected or appointed City official has a conflict of interest in a particular circumstance, the body shall, at the request of that official or of another member of that body, vote on the question. Such vote shall be advisory and non-binding. Any member of the public may voice an objection to a body officials' participation, setting forth specific reasons, and may also request such a vote, but such a request shall be non-binding. Any such request or objection shall be made either prior to or at the commencement of the body's discussion or public hearing on that matter, or at such later time as the facts claimed to warrant disqualification first become known. No vote on disqualification shall be taken if the body's official steps down voluntarily.

The mayor, chair or presiding officer of the meeting shall ensure that the reason(s) for recusal are clearly stated (as stated by the member in person) and are recorded into the minutes of the meeting. Members of the Planning Board, Zoning Board of Adjustment, Building



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Code Board of Appeals, and Heritage Commission are further bound by the provisions of New Hampshire RSA 673:14.

3. Elected and appointed City officials shall not directly or indirectly solicit gifts, nor accept or receive any gift (whether money, services, loans, travel, entertainment, hospitality, equipment, premises or in some other form), under circumstances in which it could be reasonably inferred that the gift was intended to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.
4. Elected and appointed City officials shall not disclose nor improperly use confidential information obtained in the course of their official duties.
5. Elected and appointed City officials shall not use City letterhead or stationery for any purpose other than official City business. Under the City Charter, official City business is determined by formal action of the City Council and not by individual City Councilors. Members of Boards, Committees, and Commissions may use City letterhead only for purposes approved by their respective Board, Committee, or Commission.
6. Elected and appointed City officials shall not speak on behalf of their respective Council, Board, Committee, or Commission unless authorized to do so by said Council, Board, Committee, or Commission. Individual members speaking publicly shall clearly state that they are speaking only as an individual and not on behalf of the Council, Board, Committee, or Commission.
7. No member of the City Council, nor any member of a Board, Committee, or Commission, shall appear before his or her own public body on behalf of the private interests of third parties.

5.1 Distribution



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The City Clerk shall be responsible for providing a copy of this Ethics and Conflict-of-Interest Policy to all elected and appointed City officials, as defined in this Policy, upon its issuance and upon the subsequent appointment or re-appointment of any said official. The City Clerk shall have each elected and appointed City official sign a statement that he or she has read this Policy and shall comply with all requirements set forth in this Policy. This signed statement shall be available for public review.

5.2 Complaints

Complaints shall be addressed by the City Council in a manner to be determined by the body in accordance with the provisions of ADM-126.1. Boards, Committees, and Commissions are expected to govern themselves. If the complaint cannot be resolved at that level, it may be brought to the City Council for resolution.

The City Council shall consider compliance with this Ethics and Conflict-of-Interest Policy during the reappointment process for members of Boards, Committees, and Commissions.

Section 6.0: REFERENCES

1. ADM-126.1 Complaints & Investigations Policy
2. NH RSA 673:14 Disqualification of Member
3. NH RSA 95:1 Public Officials barred from certain private dealings
4. NH RSA 640:2 Bribery in official and political matters
5. NH RSA 640:3 Improper Influence
6. NH RSA 640:4 Compensation for Past Action
7. NH RSA 640:5 Gifts to Public Servants
8. NH RSA 640:6 Compensation for Services
9. NH RSA 640:7 Purchase of Public Office
10. City of Lebanon, Charter C419:20 Dealings of Council with City.
11. City of Lebanon, Charter C419:29 Non-Interference by the Council.
12. City of Lebanon, Charter C419:62 Disqualification of Councilor, Board Member or Employee.
13. City of Lebanon, Charter C419:63 Private Use of Public Property.



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14. NH RSA 49-C:33 Optional Provisions: Limitations, Section I(c).

Section 7.0: POLICY & PROCEDURE REVISION HISTORY

	Section	Revisions	Date
Original Adoption		Initially adopted 12-02-C	5/2/2012
Amendment		Reformatted, references added, renumbered	8/4/2021