Attendees: Police Chief Ciampoli, DPW Director Eric Slosek, Fire Chief Matt Conley;

Selectman John D’Angelo; Superintendent Mike Berry

1. **Call to Order**
2. **Citizen’s Forum**
3. **Minutes:** A motion is made by John D’Angeloto accept the minutes of January 25, 2024, as amended seconded by Eric Slosek, all in favor, motion passes.
4. **Draft ordinance**: Chief Ciampoli states that as far as the additions to the document that were sent out for recommendations, the changes that were made by Eric Slosek did not come through on his copy. He would like to discuss them and see if they are in line with thoughts that he had and could add in. His intent is to keep his no vote and his explanation in order to give the Board a path to proceed with the ordinance if that is something that they would like to do. He does agree that the weakest part of the document was the further explanation into why we are voting no aside from the fact that we don’t find this a safety concern.

Eric Slosek states that, for him, it really comes down to the last page. There is a lot of bulk in the draft that talks about the Board exploring “No through trucking” policies. He would like to replace this with “The Board could consider time frames 8pm to 8am as opposed to a blanket restriction, if they consider “No Through Trucking” ordinances in the future.

Chief Ciampoli would like two key pieces to stay in the document; the hardship application and the time restrictions. He would go before the Board and state that he would not support a blanket ordinance, it is basically unenforceable. They have gone to great lengths to explain why in their meetings. Half of the problems will be solved with the “No Engine Braking” where that was a fair amount of the complaints, and it will require trucks to slow down. Chief Ciampoli will massively condense the document for his piece. On page 2, where he talks about the vote, he would add everything the others have in support.

Eric voted against it because there was no data to support it, it would pose a hardship on business and deliveries, and the school times are already addressed with the blinking light during school hours.

Matt Conley agrees with Eric’s reasons for not supporting it but also the time restrictions for the “No Through Trucking” are addressed in the morning hours that impact schools but not addressed in the afternoon hours, it is not balanced. Also, the noise was a big thing, with the residents.

John D’Angelo states that in addition to the data not supporting this ordinance, specifically the data says that cars and trucks are moving at roughly the same speed, which makes perfect sense because they are on the same road. But that means that restricting trucking without restricting cars in discriminatory. This doesn’t solve the problem. The problem is that we have cars and trucks moving faster than we want. It looks like, based on the NRPC study, that this road could easily handle a 30 to 35 MPH speed limit, it is designed to handle that speed. The only reason to not let it be that speed is (1) the proximity of schools and there are no schools on Boston Bost Rd., but they are in the vicinity of Boston Post Rd. and depending on what you to define “vicinity of” you can justify anything. There is a high school 10 miles down the road, maybe we should restrict the speed for that too. As stated by Eric Slosek, on the roads that the schools are actually on, there are blinking lights and the school traffic zones and the Amherst PD rigorously enforces that, as far as he can tell. So, that problem is already handled. Our problem, fundamentally, is that we would like cars to go 25 mph on a road designed to handle 35 mph without any trouble. The steps taken so far either aren’t working or had a temporary effect. We’re going to look at things, like moving the sign, putting in giant size stop signs and whatever else. We may want to look at increased enforcement for a week to see if that has had any effect. It’s a speed problem to him not a trucking problem. So putting an ordinance in there for trucking simply discriminates against one class of road users with no evidence whatsoever that they are the problem. He understands that the residents would like the trucks to go somewhere else, that’s great. The trucks are not going to disappear from the face of the earth, they will simply be going down another road in other people’s neighborhood. Before we decide who we are going to favor, he needs a really good reason why we are going to do it, supported by data, and we don’t. Having said, that he understands Chief Ciampoli’s position, but he needs to be careful going down that road, because what happens going down that road is that the squeaky wheel gets the grease even though there is no data supporting the grease that they want to get. The fact that you’ve got residents whining and complaining and sniffling does not mean that you need to create a custom ordinance to make their problem somebody else’s problem. So, you need to be really careful with politically prominent people demanding that you do something because people who are less politically prominent are liable to be disadvantaged by that and they are not likely to be happy about it. If you are going to disadvantage one set of residents for the benefit of another you need to have solid reasons. You can’t go down that road, it doesn’t lead anywhere good. Also, the potential litigation issues around having no data to support it, bothered him as a selectman. This is because the Selectmen are the ones that have to handle the legal budget and he wants to be able say that they are doing the right thing. He voted against it for these reasons. We have a problem, but it is not a problem that is related to through trucking. He thinks that through trucking is a separate issue. The enforcement issue that Chief Ciampoli raised is enough reason to be careful about putting a “No Through Trucking” ordinance in there, particularly when that is not problem. He doesn’t know what the solution is, we don’t want to de-engineer the road to make it unsafe at anything more than 25mph, but we definitely want to do something, narrow it, paint, something to try to slow things down a little bit. Or the Selectman need to give up and make it a 30 or 35mph road.

Eric Slosek adds to that comment, that the data that NRPC gave them, if anything, supports increasing that speed limit. So, when we say “speed problem” really the problem may be that we reduced it when it shouldn’t have been reduced.

Chief Ciampoli will add; the speed of 25mph in itself is a problem; data suggests that the road is designed for 30mph or more; cars and trucks are both speeding; by restricting trucks and not cars we’ve turned this into a discriminatory practice; the only school in the vicinity is technically the Wilkins School which is set 100 yards off the road. He will add in school zone times and the hope to address the speed concerns by signage and personnel out there standing in the road. He had touched on the economic repercussions; some of it the actual changing of the truck roads and how it would impact efficiency for the truck companies, more time, more energy, more gas. He will also add the potential legal challenges.

Eric Slosek states the there is reference in the draft presuming that there would be a noise ordinance. He would be cautious saying that because 1) should the Highway Safety Committee be talking about a noise Ordinance and 2) he doesn’t want to presume what people outside of the Highway Safety Committee will support.

Chief Ciampoli states all they voted on was giving them a draft ordinance and letting them do their thing.

Matt Conley asks how effective the signage has been on Mack Hill Rd. on the lower section to number #25. He also asks if the feedback warning sign would be more effective if it was moved farther north on Boston Post Rd. That way people would be slowing down prior to the school.

Mike Berry does not believe that the school is the primary concern for the people he was listening to. He thinks that that was a piece of evidence that they were grasping at. We are not a quality-of-life committee, we are a highway safety committee. He does believe that it is a speed and a volume problem. This has to be different than it was previously. The engine and the brake piece, he thinks it’s a good ordinance to put in, it’s a good compromise. He thinks that moving the sign would work.

Chief Ciampoli asks about the cost of moving the feedback warning sign. Eris Slosek states that it would cost thousands to move it. But if it really does improve safety is it worth spending $2500.00? He thinks we all would probably say yes. Matt Conley says yes if that would be the solution then it’s done. John D’Angelo states that it shouldn’t work less well than where it is today, and it might work better. Eric Slosek states that he will evaluate a location further to the north, somewhere near 67 Boston Post Rd. He thinks that one conflict they had when they looked at that location initially is that that is where the blinking light is located.

Chief Ciampoli added a definition of engine braking into the draft. Eric Slosek asks if this draft document should be titled. John D’Angelo states that this could be titled “Proposed Ordinance”.

Fines are discussed and Chief Ciampoli states that this fine would not have an impact on a CDL driver as this is a Town ordinance and not a state law. Therefore, it would just come down to a fine.

John D’Angelo moves that they recommend to the Board of Selectman that we adopt this draft ordinance for the Town of Amherst No engine Braking ordinance. Seconded by Matt Conley. Vote taken; John D’Angelo, yea; Chief Ciampoli, yea; Eric Slosek, yea; Matt Conley, yea; Mike Berry, yea. Motion passed with a 5-0 vote.

Chief Ciampoli will send out the final draft of the ordinance via email.

Eric Slosek will send out the final revision for the meeting of January 4, 2004.

Motion to adjourn the meeting made by Chief Ciampoli seconded by John D’Angelo, 5-0 in favor. Meeting is adjourned at 2:34 pm

 Respectfully submitted,

Pat Delisle