

# Road Business

A quarterly newsletter from New Hampshire's Local Technical Assistance Program  
Newsletter Spring 2021 – Volume 36, No. 2

## Keep Calm...And Carry On... How to handle uncomfortable customer interactions and provide a good level of service

By Bettina Sietz, UNH T2

We have all been there, facing the angry or disgruntled customer; and the months of the ongoing pandemic did not make for smoother interactions in many customer service settings. Nerves are laying blank, and emotions are boiling over. Many of us have been on the receiving and/ or the giving end. Neither situation feels good to be in. We are all human, we can all just take so much. It's helpful to have a plan in place when dealing with a frustrated customer. With that in mind, you might be able to detach yourself from your own emotions and create a constructive customer service experience that doesn't burn a bridge but builds one.

We are in the business of building and construction, so let's look at your toolbox of customer service tools:

### ***Start by listening – That's where your power is.***

Listen actively to the complaint. Try to hear the customer's concern without already formulating an answer of justification in your head. Reflect the complaint, or if you don't fully understand it, ask for more detail. "Tell me a bit more about this, so that I can understand better what you are dealing with."

Look at the following scenario:

Customer: "I am angry because you hit my mailbox post with one of your plow trucks." – If you are responding by stating: "I understand, BUT these things happen in snowstorms..." - you are risking that this conversation won't end well, and you might have a disgruntled customer who will spread the word about how he felt misunderstood by your organization to his friends and family members.

A better way to address this is to say: "I am sorry that this happened to you. If I understand correctly, you are saying that one of our plow trucks hit your mailbox post in a recent snowstorm. I will forward this issue to my supervisor and will get back to you. What's a good number or email to reach you?"

*Continued on page 5*

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#### **About UNH T2 and NHLTAP**

The UNH Technology Transfer Center fosters a safe, efficient, and environmentally sound surface transportation system by improving skills and increasing knowledge of the transportation workforce and decision makers. As the site of the state's Local Technical Assistance Program, it works to enable local counties, cities and towns to improve their roads and bridges by supplying them with a variety of training programs, an information clearinghouse, new and existing technology updates, personalized technical assistance, training videos and materials, and newsletters. LTAP Centers nationally are able to provide local road departments with workforce development services; resources to enhance safety and security; solutions to environmental, congestion, capacity and other issues.

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Picture: Work Zone Awareness, Bettina Sietz



## *Hello from UNH T2*

**Stories create  
community, enable us  
to see through the  
eyes of people, and  
open us to the claims  
of others.**

**-Peter Forbes**



*By: Bettina Sietz, UNH T2*

### ***On a personal note:***

As my time at UNH T2 is coming to an end, I wanted to reach out and say thank you for the time you have spent with me, for the things Public Works has taught me and for the strong feeling of community that has guided me through the past two and a half years. For the stories and initiatives you shared with Marilee, Butch and me. It was my pleasure working for you and with you.

Being new to the field of Public Works when I started my position at UNH T2, it didn't fail to amaze me over the years. I learned so much about the humble professionals in NH's Public Works landscape, how you do an often dangerous and strenuous job day in, day out without complaining, with much dedication and passion. This is true public service.

I will never take a picked-up downtown area, a plowed street, a well-maintained park or the trash removal on a random Thursday for granted again. My eyes have been opened, and I will keep advocating for the achievements of the public works profession in my immediate surroundings: My family, my friends, neighbors and community.

At the same time, I do want to encourage you to let your (orange) light shine bright: Take pride in what you do, share your amazing ideas, write your story.

Put it out on social media or in your town's newsletters, talk about the daily tasks public works is taking on in the wee hours of the morning when most others are still asleep or rushing to their work, and they might not notice. I did spend most of my life not knowing or noticing either, but Public Works is so worth to get to know! Telling your story is also an important part for the Public Works First Responder Discussion, and only through raising your voice again and again, and sharing all the stories, you will be heard. Some say repeating a message three times will work, while many believe the rule of seven applies to be heard.

At UNH T2 the Public Works advocacy keeps running strong! - This has been one of the most favorite parts of my job. And I know Marilee will keep shining a light on you.

I look forward to seeing more of your pictures out there, and hear your stories on the radio, in a social media post or on a local TV channel. I will keep following your stories.

(Don't forget to sign up for the event on May 19th: [Why Storytelling is Important in Public Works](#))

*With gratitude-Bettina*



## ***When somebody shares, everybody wins. - Jim Rohn***

Knowledge is useful. But shared knowledge is valuable. Join us in sharing YOUR knowledge and help others to work more safely and more efficiently in the public works community. Sharing is caring, and the Build-A-Better-Mousetrap Competition is a great opportunity to care for others while showing off your department's ingenuity.

Your idea could help another person to protect their back, to do a job in a more time efficient manner, or to avoid dangerous situations on the job.

We know you have these great ideas in your public works garages, the seemingly small and common sense changes that make your team's life so much easier. Please step forward and share your idea. You might not be aware of the positive impact that this might have on the life of others.

Don't know where to start? - Check out our [website](#) for more details and call or email Marilee at 603-862-1362 or [marilee.lafond@unh.edu](mailto:marilee.lafond@unh.edu) with your questions.

This year we decided to change up the BABMT Trophy, and you can choose!



### ***4 FUN First Responder Camp Chairs and 4 free workshop seats***

to UNH T2 workshops up to \$400  
(they do count toward our  
certification training like GSP,  
Flagger or CCM)!

**OR**

***Private Heavy Equipment Workshop and lunch from UNH T2 for 4 members of your team!***

**OR**

***APWA Membership for up to 2 people***



**Give them time to talk**

Try not to interrupt or talk over the angry customer. Patience is a virtue in customer service settings.

People need time to express how they feel. Be empathetic and instill the feeling that you are taking their complaint serious.

Do not promise to fix the situation, you might not be able to do so. The key is to make your customer feel heard and understood.

Do not try to justify or contradict at this moment. The customer is venting and needs to be heard.

Follow up if you are promising to follow up. Do this reliably and in a timely manner. The more time passes, the angrier someone might get.

**Check your own bias**

We all come from different walks of life, different backgrounds and cultures. Try to put yourself in someone else's shoes. Try to keep your judgement at bay. You don't know the other person's story or (bad) experiences. Practice an open mindset.

**Remain calm – Your second superpower!**

Being on the receiving end of a complaint that might have nothing to do with you can get the calmest person worked up. But it's just that...The customer's (natural) anger response has nothing to do with YOU personally. This is the mantra you want to repeat for yourself in order to remain calm.

On the other hand, if the customer strikes out in a personal, rude or abusive tone, you don't need to tolerate that kind of behavior. Escalating this to your supervisor for additional support might be a good idea.

Or just calmly say "I am happy to continue this conversation with you once you calmed down enough to not speak with me in this tone of voice. There is no need for name calling or foul language, I am here to help you."

**A Thank you goes a Long Way**

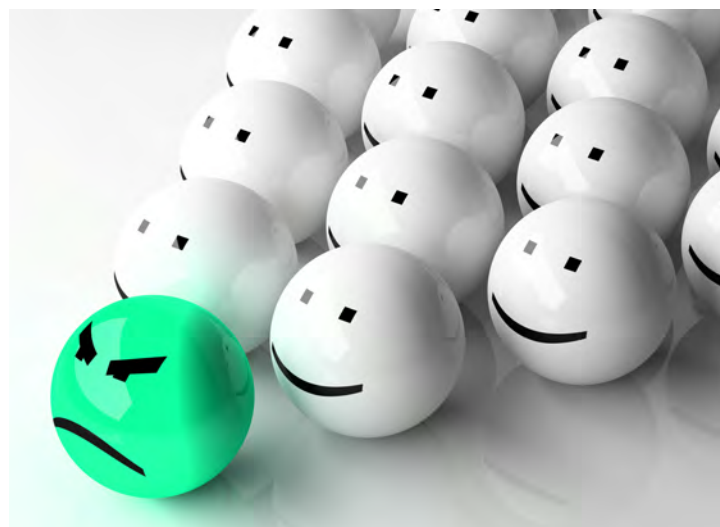
It might be hard to do in certain situations but thank them for bringing a specific problem to your attention. You might have been unaware of this, and in the long run the customer voicing his or her concern will help you to approach problems proactively.

Thank them for their patience that they are granting you for the time you'll need to resolve this.

**Be Sincere and Be Specific**

When you are promising to circle back about an issue, please do it. Give them a timeline when they can expect to hear back from you. Highlighting the importance of the priority to resolve their issue might be a good tool to calm the angry customer.

If it's a user error or misunderstanding on their end, try to steer away from pointing this out to them. At some point you might have not communicated well enough how to use the system, how to apply for a permit or where to go for assistance. The customer's perception dictates the service experience.



**Communicate, communicate...**

If the issue is complex, and you need to pull in support of your supervisor, IT, etc., keep people updated on the steps you are taking and how you are planning to resolve the issue. It helps to "chunk down" a problem into bite-size solutions.

Customer service exists to help customers with their needs and/or any problems that might come up in public service. It's the most important part of maintaining a good reputation and relationship as a business or an organization. Think about all of the different outlets people can post negative reviews on. The last thing you want is to have negative reviews all over the internet or through word of mouth in your municipality. Training your employees on proper ways to resolve customer complaints or problems needs to be a priority while working in public service settings.

**With a bit of practice we all have the power to "turn that frown upside down".**



## WHO'S THE "MOST WANTED" IN YOUR TOWN?



NH Fish & Game has some great resources to tackle local invasive plant areas.

Find the most prevalent invasive species hotspots in your community.

Once you found your local problem area, refer to the **Picking Our Battles guide**: A guide to planning successful invasive plant management projects.



# Delegate #LikeABoss: Why doing it all by yourself doesn't help your team grow

By: Marilee LaFond, UNH T2 Center Manager

There are dozens of catchy phrases about strength through adversity, but perhaps the one that best sums it up for me is from Joyce Meyer, who said “We don’t grow when things are easy, we grow when we face challenges.” For many of us, the past twelve plus months have shown just how much we can grow, innovate, adjust, and change to meet a challenge. I’m guessing most of us felt at minimum “busy” before the pandemic... I probably don’t need to ask how you feel now!

**#PublicWorksMakesItHappen** – through rain, hail, snow, darkness, and we can add to that a pandemic. Public works teams address the planned work of each day, as well as the unplanned critical situations that arise without notice. A roadside mowing schedule yields to a clogged culvert, downed trees knock out your power as well as your grading schedule until you’ve finished storm cleanup. Amongst all that, there are the tasks that get pushed off – a report, inventory, call to the equipment vendor, presentation to develop, citizen phone call, and even critically important things like safety training that might get pushed aside by the figurative fires that are in front of you today. It’s no wonder the phrase “You need to delegate...” can make even the most senior manager cringe. Who has time? ...It’s quicker to do it myself and just call it done... I will, but I just need to get this out the door this one time...

Fair enough, but for those of us in supervisory or leadership roles that are responsible for the development and success of a team or people, not only should we seek to delegate, but it’s also arguably our job to delegate.

The challenge for many of us is **high-quality delegation**, the type that challenges, develops, and positively impacts individuals and teams, takes time – a lot of time.



We cannot just toss a new project at someone when standing at the coffee pot, duck into the next conference call, and call it delegation. Done correctly though, delegation is a win-win for everyone involved. Our most valuable assets – our employees – learn a new skill or gain confidence in a new area, teams feel the success of leadership that’s invested in their well-being and professional development, and as a leader, you can reallocate your time to more appropriate tasks and initiatives.

So, what does good delegation look like, and how do we get there? First things first – get organized and get ready to delegate.

## **Prepare**

Make a thorough list of everything you’re doing in your role – daily, weekly, monthly, and then add to it any of the other “stuff” that comes across your desk that you also tackle – those pesky post-it notes that are stuck all over the place, the phone call you need to return, the new salt spreader you need to select – ad hoc projects, ongoing tasks, and everything in between should be captured. Spend some time with the list. Which of the items do you need to control and complete directly yourself, and why?

There are likely many of them that justifiably fall under your remit and would be inappropriate to delegate; you'll recognize them. But look for the tasks that someone else could do; there are probably at least a few of those, and once you've identified them, it's time to think about who to delegate them too....

### **Who to Delegate To?**

If you've spent time coaching and communicating with your team, you probably have a sense of their professional interests, area of strength and areas of opportunity, and how they want to move between those spaces. Which tasks on your "To Delegate" list will give an individual new experiences or help them gain confidence in a new area of their work? Who has a background or prior experience in an area that will lend itself to this task? Who has bandwidth to take on new projects? What tasks are you doing just because you've never considered if it belongs somewhere else? You might even find some tasks you can just take off the list all together.

### **How to Delegate**

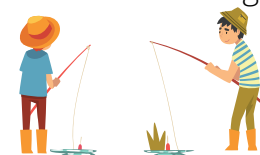
Thoughtfully and intentionally – that was simple! Ok, so maybe we can expand on that a bit more, but it really is simple; it's also very time consuming to delegate well. Be sure to block out the appropriate time to meet with the individual, share the new task, reinforce why you are delegating it to them and how you think they will be an asset to the task, and support them in taking ownership of it. Do they need any additional information, context, or resources- equipment, technology, safety gear, training, or time with you or someone else? If so, be sure they know how to get it. Keep in touch with them; the conversation doesn't end when they walk away. Be sure to lay out a reasonable plan for follow-up and check-ins. If you're a parent of a teen or have ever taught someone to drive a car, think of it this way...you wouldn't just hand them the keys, hop in for a quick drive around the block, and then set them loose (I hope...😊).

You "train" with them routinely, you check in with them, you watch the weather and remind them of best practices for winter driving, you make sure they know what's important for safety and what the rules are for borrowing the family car, and you also communicate an expectation of the trust and accountability you've instilled in them. It's the same for your employees- you need to see delegation not as a chance to get someone else to do the work, or even one more obligation for you as a manager, but an opportunity to nurture and develop your team.

Be clear when delegating; set expectations for the work to be done and what "success" will look like. Consider SMART goals (Specific, Measurable, Actionable, Realistic, and Time-Bound), and ask your employee to summarize what they've heard to be sure you're synced up on the expectations, including what their role will be in the project or task, any other stakeholders they should communicate with, what level of autonomy they have for decision-making, and the timeframe or deadline.

### **Let go – but stay nearby**

Once you've delegated, although you should step back, you should not disappear. Keep in contact with the employee to monitor progress and provide course-correction as needed to support success. Remember that good delegation is time-consuming initially, but done well, it can set the precedent for long-term success and time-savings.



### **Teach a Person to Fish**

Now that you're a delegation pro, it's time to raise up others. As employees take on new tasks and responsibilities, work with them to ensure they're sharing similar opportunities with those who report to them or junior members of the team – help them to decide what to delegate, to who, and how. Cross-train, calibrate resources, and create open lines of communication to ensure an agile workforce.



# Tree Crashes

Roadway departures accounted for 57,475 highway deaths between 2016 and 2018. Trees were the most harmful event in 10,697 of these fatalities.

Hitting a tree<sup>1</sup> is the most harmful event in approximately 10 percent of all U.S. traffic fatalities each year and 19 percent of all roadway departure<sup>2</sup> (RwD) fatalities. There were 3,566 average annual RwD fatalities between 2016 and 2018 where a tree was identified as the most harmful event. Figure 1 shows the key characteristics where trees are overrepresented in crashes.

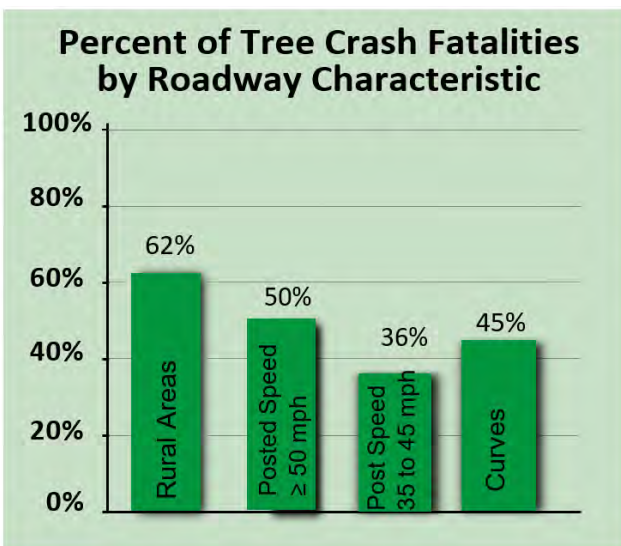


Figure 1. Characteristics of RwD fatalities associated with tree crashes as the most harmful event — FARS data 2016–2018.

To reduce severe RwD crashes, FHWA recommends that State and local agencies consider three broad strategies:

1. Keep vehicles on the roadway.
2. Reduce the potential for crashes when vehicles leave the roadway.
3. Minimize the severity of crashes that do occur.

This brochure describes solutions that can be used to reduce fatal and serious injuries resulting from RwD crashes into roadside trees or shrubs for each of these three strategy areas (Ref. [Roadway Departure Safety](#)).

## Keeping Vehicles on the Roadway

- **Roadside Vegetation Control** — Clearing roadside vegetation, particularly trees close to the road, can enhance a driver's view of the roadway ahead, approaching vehicles, wildlife, and adjacent traffic control devices. In addition, reducing the shade from trees reduces ice on pavement and provides better growth of roadside grasses to prevent erosion (Ref. [FHWA-SA-07-018](#)).

- **Delineation Treatments** — Chevron signs, curve warning signs, and sequential flashing beacons can be applied to curves to warn drivers that the roadway alignment is changing. Installing chevron signs at horizontal curves on rural two-lane undivided roads can produce a 16 percent reduction in non-intersection fatal and injury crashes and a 25 percent reduction in nighttime, non-intersection crashes of all severity types (Ref. [FHWA-SA-17-058](#), CMF Clearinghouse IDs [2438](#) and [2439](#)). Installing new fluorescent curve signs or upgrading existing curve signs to fluorescent sheeting on rural two-lane undivided roads can result in approximately a 25 percent reduction in non-intersection fatal and injury crashes and a 34 percent reduction in nighttime, non-intersection crashes of all severity types (Ref. CMF Clearinghouse IDs [2433](#) and [2435](#)). Widening edge lines, along rural two-lane highways, from 4 inches to 6 inches can reduce non-intersection, non-winter fatal and injury crashes by approximately 37 percent (Ref. [FHWA-HRT-12-048](#), CMF Clearinghouse ID [4737](#)).
- **Shoulder and Edge Line Rumble Strips** — Two multistate studies and more than a dozen state studies report reductions in single-vehicle run-off-road crashes of 13 to 80 percent when milled rumble strips are installed on two-lane rural roads, with a widely accepted reduction of 17 percent for fatal and injury run-off-road crashes at

<sup>1</sup> Crashes where the most harmful event is an impact with a tree (FARS code 42). Shrubs (FARS code 41) are not included.

<sup>2</sup> Crashes in which the vehicle crosses an edge line or center line, or otherwise leaves the traveled way.



rural freeway locations. A reduction of 36 percent can be expected for single-vehicle run-off-road injury crashes on rural two-lane roadways (Ref. [Rumble Strips and Rumble Stripes](#), CMF Clearinghouse IDs [3447](#) and [3454](#)).

- **Friction Treatment** — For locations with a history of Rwd crashes and where the pavement surface is in good condition, high-friction surface treatment (HFST) is an effective solution to help reduce crashes. Research conducted by the National Transportation Safety Board and FHWA indicates that about 70 percent of wet pavement crashes can be prevented or minimized by improved pavement friction. At least 41 states have applied HFST to at least one project site. A research report published by FHWA shows HFST is estimated to reduce wet crashes by 83 percent and total crashes by 57 percent (Ref. [FHWA-HRT-20-061](#)).



Roadway Departure  
Safety – FHWA  
Office of Safety

## Reducing the Crash Potential When Vehicles Leave the Roadway

- **SafetyEdge<sup>SM</sup>** — Run-off-road crashes are twice as likely to result in a fatality when a near-vertical pavement edge is exposed (Ref. [SafetyEdge](#)). Installing the SafetyEdge<sup>SM</sup> during all paving or resurfacing projects allows drivers who drift off roadways to return to the pavement with much less potential to lose control. A five-state study showed the SafetyEdge<sup>SM</sup> will reduce fatal and injury crashes by 11 percent (Ref. [FHWA-SA-17-044](#), CMF Clearinghouse ID [9660](#)).
- **Widen Clear Zones by Removing/Relocating Trees** — A clear zone is “the unobstructed, traversable<sup>3</sup> area provided beyond the edge of the through traveled way for the recovery of errant vehicles.” Removing trees within the clear zone and/or widening the clear zone are proven strategies to reduce Rwd crashes (Ref. [Clear Zones](#)). AASHTO’s *Roadside Design Guide* includes suggestions for clear zone width based on average daily traffic, horizontal curve radius, design speed, and sideslopes. One Ohio study determined that the removal or relocation of roadside fixed objects for all road types reduced injury crashes by 38 percent (Ref. CMF Clearinghouse IDs [1024](#) and [1044](#)). Similarly, a Texas study determined that widening the rural two-lane roadway clear zone from 10 to 40 feet resulted in a reduction in single vehicle run-off-road injury crashes of 32 percent at tangent sections and 51 percent at horizontal curve locations (Ref. CMF Clearinghouse IDs [4127](#) and [4128](#)).
- **Maintenance to Control Vegetation Growth** — Vegetation management techniques and planting guidelines can help minimize the potential negative effects of roadside vegetation. The guidelines should consider and include maintenance of mowing limits within the clear zone as an initial activity to minimize future trees and shrubs. Tree removal should be prioritized at critical locations such as where trees are located close to the road at curves and intersections (Ref. [FHWA-SA-07-018](#)).

## Minimizing the Severity of Crashes

- **Shielding Trees** — Shielding trees by constructing longitudinal barrier, such as guardrails, can reduce the severity of Rwd crashes when it is not practical to remove roadside trees. Adding a barrier will likely result in more reported crashes because the barrier is closer to the traveled way and is a bigger target than the obstacle that it is shielding. For example, a Florida study determined that the total number of crashes for principal arterials other freeways and expressways increased by 6 percent with the installation of guardrail, but the fatal and severe injury crashes reduced by 16 percent (Ref. CMF Clearinghouse IDs [8391](#) and [8393](#)).



Guardrail shielding large tree. Source: FHWA

## For Additional Information

For additional information, contact Joseph Cheung, FHWA Office of Safety, at [joseph.cheung@dot.gov](mailto:joseph.cheung@dot.gov); or Tori Brinkly, FHWA Resource Center, at [victoria.brinkly@dot.gov](mailto:victoria.brinkly@dot.gov).

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<sup>3</sup> Foreslopes between 1V:3H and 1V:4H may be considered traversable but non-recoverable if smooth and free of fixed objects.





# Riddle me this...

**After reading the articles, are you ready to solve our riddle? Please email your answers to Marilee Lafond ([marilee.lafond@unh.edu](mailto:marilee.lafond@unh.edu)) by June 15 th.**

1. Name one of the three strategies recommended by FHWA to reduce severe RwD (Roadway Departure) crashes.
2. Name two superpowers when it comes to customer service.
3. What's the award item for the NH Master Roads Scholar 2 level?
4. Name two benefits of virtual public involvement techniques.



**..for the chance to win a free UNH T2 workshop seat!**

## Road Bump

Sharing an important reminder on

**Potholes and Other Roadway Issues**

on the following pages.

**Thank you to Primex for allowing us to share this valuable resource.**



## KUDOS CORNER

*Congratulations*

### **Awards:**

UNH T2 is pleased to announce the Roads Scholar achievements of 2020 & ongoing award achievements for 2021.

We sent out Roads Scholar Certificates to individuals and achievement notifications to their municipalities, as well as being in touch with local news outlets with a press release for the higher levels (Senior Roads Scholar and higher).

We hope to deliver or mail the Road Scholar Awards close to the date of the National Public Works Week (5/16-5/22). Stay tuned for more.

**Congratulations to all the hardworking NH Roads Scholars - past & present!**

### UNH T2 announces 2020 Roads Scholar awards

Apr 16, 2021

DURHAM - The University of New Hampshire Technology Transfer Center (UNH T2) has recognized the following 2020 Roads Scholar achievements.

Roads Scholar candidates contribute their knowledge, technologies and techniques in road management to Hampshire, both through their practical application, mentorship and collaboration with public and professional development. UNH T2 supports safe, efficient and sustainable road management. The Roads Scholar Program has safety lanes. In order to progress in a Road Scholar, a minimum number of training hours with safety, environmental, and

The following individuals achieved

*Congratulations*



*Got something to share? - A special professional recognition or an award? An employee with many years of public service? A happy addition to a PW family? - Please email or call us to share the news with your PW network. We are happy to help!*



# Potholes and Other Roadway Issues

## PRIMEX<sup>3</sup> RISK MANAGEMENT BULLETIN

**Every municipality knows that frost heaves and potholes cause frustration and inconvenience to motorists and comprise a large part of a highway department's workload. These activities present obvious safety concerns for employees who must work in an active roadway to patch and repair. Of equal concern should be the department's Inclement Weather Policy for addressing these defects. Having and following such a policy can help to ensure that certain municipal immunities will apply.**



There are five key elements in determining whether a municipality is held responsible for damage to vehicles caused by potholes and other defects on town-owned roadways:

1. If the city or town has an Inclement Weather Policy and/or a Preventive Practices Policy;
2. Whether the municipality is aware of or has received "notice" of an "insufficiency" (road defect) that may cause damage or injury;
3. Whether the municipality took reasonable and timely action to warn of and/or remedy an insufficiency;
4. Whether the municipality was negligent or could otherwise be held responsible for damage caused by the insufficiency; and
5. Whether the driver was operating properly.

Under New Hampshire law (RSA 231:90-92-a), municipalities shall not be held liable for property damage arising out of road insufficiencies unless the municipality is negligent in carrying out its duties.

If you do not have a Policy, which is critical in determining whether the municipality has liability for a road defect claim, you should know that sample policies are available by calling your Primex<sup>3</sup> Risk Management Services Consultant.

The key element to any policy is a procedure for addressing public notices or the municipality's awareness of a defect. Under RSA 231:92 a municipality is deemed to be aware of an insufficiency if:

1. Written notice of an insufficiency is received;
2. Observation of an insufficiency by a selectman, mayor or other chief executive official, town clerk, on-duty firefighters, police officers, or public works or highway officials, or other municipal officers responsible for maintenance and repair of highway, bridges, or sidewalks;
3. The road insufficiency was created by an intentional act.

Policies and procedures need to be communicated beyond the highway department to your elected and appointed officials and police and fire departments, or other municipal officers responsible for maintenance and repair of highway, bridges, or sidewalks; A procedure should be established in police and fire departments, including dispatch centers, for properly and promptly communicating information about the defect to the person responsible for handling responses to these defects.

# Potholes and Other Roadway Issues (continued)

## PRIMEX<sup>3</sup> RISK MANAGEMENT BULLETIN

Your Policy should outline the actions to be taken by department employees upon receipt of a written *Notice of Insufficiency*. This policy should outline the different response requirements for a formal Notice of Insufficiency and for a motorist's report of damage. With a *Notice of Insufficiency* it is critical that the policy be followed and corrective actions documented to show they were conducted within the specified 72-hour time frame. Please note that the Statute does not require the department to immediately repair the road defect. The "Reasonable and Timely" provision calls for the municipality to investigate, and if necessary, take action such as posting a sign warning motorists of the defect within 72 hours of the report. Naturally, repair of the pothole or other insufficiency should be made as soon as practicable.

Development or revision of your Policy should include involvement of your police department which can provide insight as to operator compliance with road regulations and prudent driver operation. If practical, police should investigate written documentation to determine if the driver was operating at posted speeds and in a reasonable and prudent manner for the conditions (state of repair of the road) and any warning signs if applicable. When possible, police reports should be part of the department's documentation.

Employees who answer the phones or deal with the public should be trained in effective communication with disgruntled citizens. They should be trained to explain that the town/city may not be responsible for damage to vehicles resulting from a pothole or other road defect. If the citizen insists, the employee should request a written report which will be taken under advisement, but there should be no indication that any payment will be made. It is also important that supervisors or other employees who may cover for lunches and days off be aware of and able to present a consistent message to the public. Some municipalities have found it useful to have printed copies of the RSA available as a handout. In many cases, the disgruntled citizen will be satisfied once they understand the limited circumstances under which a municipality may be held responsible for road defects. Many issues may be resolved without further difficulties.

If the motorist persists, then all documentation pertaining to the incident should be forwarded to the Primex<sup>3</sup> Claims Department who will provide a defense referencing the fact that there was a policy in place, that a proper notice procedure was followed, reasonable and timely action was taken, and the provisions of the Statute were met. Obviously the quality of your documentation plays a key part in the resolution of any claim.

### Sample Language

We are sorry to learn of the damage to your vehicle. The Town/City takes great care to maintain its roads. The NH Statute provides towns/cities with immunity from these types of claims; therefore, I regret to inform you that your damages will not be paid.

- 231:90 Duty of Town After Notice of Insufficiency
- 231:91 Municipality to Act; Liability
- 231:92 Liability of Municipalities; Standard of Care

For more information, please contact your Primex<sup>3</sup> Risk Management Consultant at 800-698-2364 or email [RiskManagement@nhprimex.org](mailto:RiskManagement@nhprimex.org).

# Upcoming Events

We have sooo many great UNH T2 events scheduled, and the calendar is still growing, so, please check back on a regular basis and to register on the [training calendar on our website](#). Event dates might be subject to change.

## May

- **5/10: Basic Grader Operation & Maintenance**
- **5/11: Pothole Patching and Repair**
- **5/12: Road Drainage and Culverts**
- **5/12: How to Deal with Difficult People**
- **5/12: The LRSP Lunch Table**
- **5/13: Chainsaw Basics & Safety**
- **5/18: Constructing a Quality Crack Repair**
- **5/19: PW Peer Panel:** Why Storytelling is Important in Public Works
- **5/20: Hot Topics in Road Law**
- **5/25: Constructing Thin Surface Treatments**
- **5/26: Gravel Road Maintenance**



Picture: Butch Leel



## June

- **6/1: Chip Seal Best Practices**
- **6/2: PW Peer Panel:** While you were out (Crosstraining, Process Documentation & Resiliency)
- **6/15 Culvert Maintainer Recertification**
- **6/16: Ethics in Public Works**
- **6/17: PW Peer Panel:** Implementing Brine, Liquid Deicer and Pretreat Salt
- **6/22: Work Zone Essentials** (2 afternoons)
- **6/23: Work Zone Essentials**
- **6/24: What's Mine is Yours** - Cooperative Purchasing & Shared Services
- **6/29: Virtual Voices:** Peer Panel on Virtual Public Involvement

## July

- **7/14: Data-Driven Winter Maintenance**
- **7/27: Green Snow Pro** (7/27, 28, 29) - must participate on all 3 mornings

### Certification Training Dates:

- **6/15: CCM-Recertification**
- **7/27: GSP - Green Snow Pro** (7/27, 7/28, 7/29)
- **10/5: GSP - Green Snow Pro** (10/5, 10/6, 10/7)





# VIRTUAL ETIQUETTE



*In a world where you can be anything... Be courteous & professional.  
How to get the most out of a virtual meeting and have a training experience that's beneficial to all participants.*

## 1 BE PREPARED

- Test your technology ahead of the training, make sure audio and camera are working.
- Familiarize yourself with Zoom, MS Teams, etc. controls.
- Keep meeting links handy.
- Sign on 10-15 early - you can get a cup of coffee in the meantime.
- Adjust your camera angle to avoid glare or awkward angles.



## 2 WHEN ENTERING THE MEETING

- When entering from the virtual waiting room, please stay muted to avoid background noise.
- Facetime over Avatar: Turn on the camera whenever possible: During these socially distanced times it's nice to see familiar faces.

## 3 BE PRESENT

- This is YOUR time to learn and advance.
- Prepare yourself to listen with intention.
- Take this time to listen and participate: Don't try to multitask in the background.



## 4 ELIMINATE DISTRACTIONS

- Turn off your email and cell phone notifications.
- Resist the urge to check on your social media feed or messages.
- Block this time on your calendar.
- Postpone the conversation with your co-worker until after the training.



## 5 PARTICIPATE

We've all been there. The virtual meeting when the presenter tries to engage the crowd and gets met with "radio silence." When being asked, try to jump in. Or if you have nothing to say, signal that there are no further questions at this point.



## 6 SPEAK UP

- When making a comment, use the "raise your hand function" or wait until there's an organic pause to place your comment or question.
- Don't be shy to ask: Every question is a valid question.
- Don't feel like being in the spotlight or your computer doesn't have a working microphone? - Type your question or comment in the chat pod.
- The best virtual training sessions are the ones that have a lively conversation.



## 7 NO SHIRT, NO SHOES, NO SERVICE

This is not the virtual happy hour with our friends. While we don't expect participants to dress up, and frankly, we don't care about the shoes you are wearing, there's a professional setting to these virtual training sessions:

- Don't engage in activities that wouldn't be acceptable at a professional in-person meeting.
- Keep the side conversations with your peers for after the training.



## 8 SOMETHING CAME UP...

You need to take a call, have an urgent conversation? Life happens...

Shoot us a private message in the chat pod that you will be absent for a bit and please turn off your camera and microphone.



## 9 MOST IMPORTANTLY: ENJOY YOUR TRAINING!



Where are you  
on your  
Roads Scholar  
Journey?  
Attractive  
Awards can be  
yours!

For more details on the NH Roads Scholar Program  
visit our [website](#).



**Advanced Master Roads Scholar**  
200 hours & AMRS Project  
Carhartt Tote with UNH T2 Logo

**Master Roads Scholar 2**  
150 hours  
Leatherman Tool



**Master Roads Scholar**  
100 hours  
Personalized Bulova  
Clock

**Senior Roads Scholar**  
75 hours  
UNH T2 Soft Lunch  
Cooler



**Roads Scholar 2**  
50 hours  
UNH T2 Padfolio

**Roads Scholar 1**  
25 hours  
UNH T2 Travel Mug

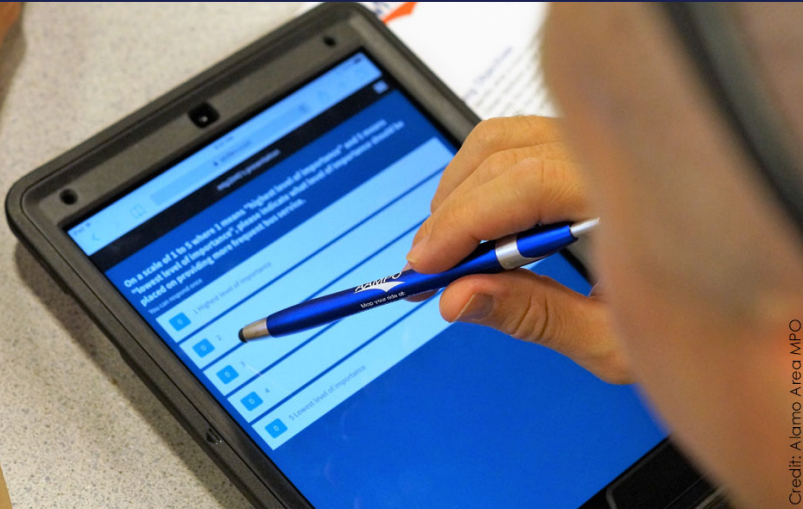


Infographic by Bettina Sietz, UNH T2



# Virtual Public Involvement

Virtual public involvement supports agencies' efforts to engage the public more effectively by supplementing face-to-face information sharing with technology.



Innovative virtual public involvement techniques provide State departments of transportation (DOTs), transit agencies, metropolitan planning organizations (MPOs), and rural transportation planning organizations (RTPOs) with a platform to inform the public and receive feedback. These strategies increase the number and variety of channels available to agencies for remotely disseminating information to the public and create efficiencies in how input is collected and considered, which can potentially accelerate planning and project development processes.

## ENCOURAGING PUBLIC ENGAGEMENT

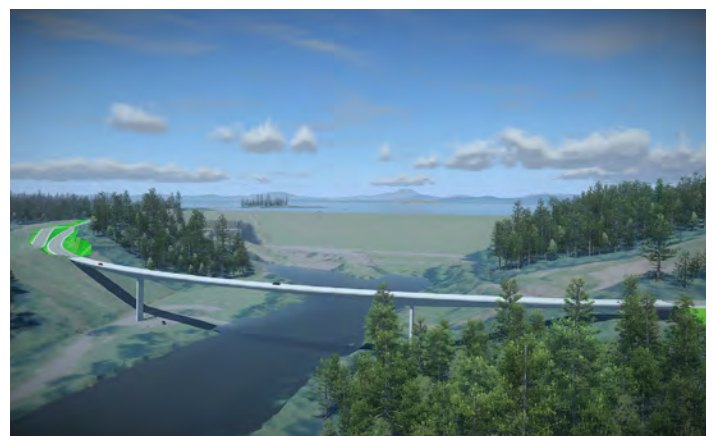
Public involvement is a critical component in the transportation decision-making process, allowing for meaningful consideration and input from interested individuals. As daily users of the transportation system, the public has useful opinions, insights, and observations to share with their State DOT and local agencies on the performance and needs of the transportation system or on specific projects. Early and strong public engagement has the potential to accelerate project delivery by helping identify and address public concerns early in the planning process, thereby reducing delays from previously unknown interests late in the project delivery process.

Nearly all State DOTs and most local agencies use websites to post information about their activities. With the increased use of social media tools and mobile applications, the public can access user-friendly features such as online videos, podcasts, crowdsourced maps, and other interactive forums to receive information and provide input.

These new opportunities for information sharing and public involvement in the transportation planning, programming, and project development process include, but are not limited to, telephone town halls, online meetings, pop-up outreach, social meetings/meeting-in-a box kits, story maps, quick videos, crowdsourcing, survey tools, real-time polling tools, social media following, visualization, and working with bloggers.

## BENEFITS

- **Efficiency and Low Cost.** Virtual tools and platforms can be made accessible to communities efficiently, many at a lower cost than traditional public engagement methods.



*Visualization of a proposed roadway realignment showing visual and construction impacts.*

*Source: FHWA; Imagery: U.S. Geological Survey*

- ▶ **Accelerated Project Delivery.** Robust public engagement helps identify issues early in the project planning process, which reduces the need to revisit decisions.
- ▶ **Communication and Collaboration.** Virtual public involvement can aid in establishing a common vision for transportation and ensure the opinions and needs of the public are understood and considered during transportation planning and project development.
- ▶ **Expanded Engagement.** Virtual tools include stakeholders who do not participate in traditional approaches to public involvement. Greater engagement can improve project quality.

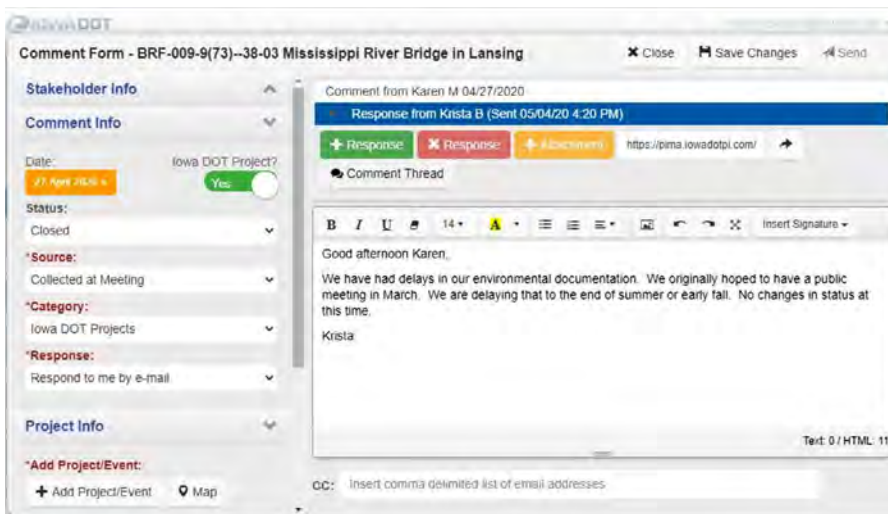
## STATE OF THE PRACTICE

Virtual public involvement is providing State DOTs and local agencies throughout the country with a platform of innovative tools and strategies for making public involvement more accessible, thus providing a better understanding of the public's concerns regarding transportation system performance and needs. The following are a few of many examples of successful techniques:

- ▶ Iowa DOT developed a web-based Public Involvement Management Application (PIMA) tool that documents and tracks public comment throughout all phases of project delivery.
- ▶ North Jersey Transportation Planning Authority is using targeted online advertisements to reach intended audiences strategically.
- ▶ The Broward MPO in Florida employs a robust social media strategy to engage and inform its stakeholders through eye-catching visualizations and social media campaigns.



*Design visualization. Source: North Carolina DOT*



*Responding to a public comment within the Public Involvement Management Application (PIMA) Source: Iowa DOT*

## RESOURCES

[FHWA EDC-6 Virtual Public Involvement](#)

[FHWA Virtual Public Involvement Program](#)

[Subscribe to VPI e-News](#)



U.S. Department of Transportation  
Federal Highway Administration

**Jill Stark**  
FHWA Office of Planning,  
Stewardship & Oversight  
(202) 366-8870  
[Jill.Stark@dot.gov](mailto:Jill.Stark@dot.gov)

**Lana Lau**  
FHWA Office of Project Development  
& Environmental Review  
(202) 366-2052  
[Lana.Lau@dot.gov](mailto:Lana.Lau@dot.gov)

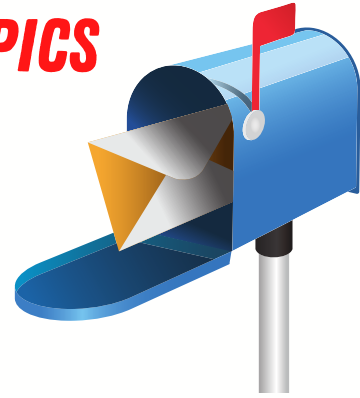
**Carolyn Nelson**  
FHWA Office of Project Development  
& Environmental Review  
(202) 860-6173  
[Carolyn.Nelson@dot.gov](mailto:Carolyn.Nelson@dot.gov)





## NHMA'S HOT TOPICS

# Discontinuance? Not So Fast!



**By Natch Greyes, Municipal Services Counsel, NHMA**

In 2018, *Casagrande v. Town of Goshen* saw the law of discontinuances change fairly significantly. Municipalities across New Hampshire started digging into old records to determine whether those roads that they thought had been discontinued in the 1800s still existed. Last year saw a further refinement of the discontinuance rule, and this year has seen some after-effects that municipal officials may be interested in noting.

Let's start with *Casagrande*. In that case, the town voted in 1891 to "discontinue and throw up" a portion of a highway on the condition that another town would "throw up theirs to meet us." What exactly that meant was unclear to the 2018 Supreme Court, so, as the law favors continuance, the Court ruled that the highway continued to exist, and the town had rights to it. (As an aside, any municipality that wants to discontinue a road should simply state that the road is to be "discontinued completely" in the warrant article pertaining to the road.)

Last year, *Bellevue Properties v. Town of Conway* saw the New Hampshire Supreme Court revisit the rule of discontinuances. In short, the plaintiff owned a hotel that was accessed by a town road that ran through a parcel on which a large retail redevelopment was proposed. The retail developer proposed discontinuing the public highway and provide alternative access with a private road, that would remain open to the public, and offered an easement to the hotel. The plaintiff sued, claiming that the discontinuance would cause harm to the hotel's business. The Supreme Court upheld the discontinuance stating that the town's decision to discontinue a highway is not limited to ongoing maintenance costs, but that the town may decide to discontinue a highway for other reasons, and, if challenged, "the trial court may consider those interests in reviewing the town's decision." In this case, it was proper for the town to discontinue the public highway not because of maintenance costs but because there was a proposal for a large retail establishment and alternative access would be provided to properties serviced by the existing public highway.

Together, those two cases more-or-less settle the town's right to discontinue a highway and how they should go about it. But there are still questions that private landowners like to ask municipal officials such as – what rights do I have if the public highway that services my land is discontinued? Although that answer isn't strictly within the realm of what municipal officials do, it's good to know that there is an answer, and that it can be found in this year's *Lauren Shearer v. Ronald Raymond*.

In *Shearer*, the plaintiff bought a parcel that was landlocked – it was accessible only by "Bowker Road." Bowker Road was laid out as a municipal road in 1766 but discontinued in 1898. It had long served to connect the plaintiff's parcel to another still-existing municipal road. A gate was maintained along Bowker Road by the owner of the parcel "locking" the plaintiff's in, and that owner claimed that the plaintiff had no right to use the gate to access her property via Bowker Road.

The New Hampshire Supreme Court disagreed. The ability of a property owner to access his or her property via a road was not extinguished merely because of the discontinuance of that road if that road is the only reasonable means of reaching that parcel. Instead, the easement for accessing that property continues until such time as it is extinguished. That ruling should put the minds of private property owners at ease. Even though the public may no longer be able to use the road, they – and the subsequent owners of their property – still can.

As for who maintains that private road? That’s an interesting question. There is nothing in either the statutes or case that clarifies the relationship between “easement” and “private road.” RSA 674:41, III defines “Street giving access” as “a street or way abutting the lot and upon which the lot has frontage” and was passed in response to the 1994 New Hampshire Supreme Court decision *Belluscio v. Westmoreland*. The intent of the legislature, therefore, seems to be to distinguish the two terms, but 2019’s RSA 231:81-a states, in relevant part, “[i]n the absence of an express agreement or requirement governing maintenance of a private road, when more than one residential owner enjoys a common benefit from a private road, each residential owner shall contribute equitably to the reasonable cost of maintaining the private road[.]” But, again, neither RSA 231:81-a nor any other statute define “private road,” and there is no clear method to create them. As such, it’s somewhat unclear when RSA 231:81-a would operate as there is no bright-line test to distinguish, for example, an easement for a driveway to serve a few houses in common from a private road.

Undoubtedly, the distinction – if any – between easements and private roads will be further refined in the coming years but, fortunately for municipal officials, that’s something that will have to be worked out by the courts, legislature, and, more importantly, private landowners.



**We want to thank Natch Greyes for his continuing support and important contributions of "Hot Topics" to our newsletter!**

UNH T2 OFFERS COMPLIMENTARY

# TECHNICAL ASSISTANCE

We support NH municipal highway departments via phone, email, or onsite visits - let us help solve your riddles!

- Maintenance of gravel roads
- Culverts
- Roadside ditches
- Pavement condition
- Road and Pedestrian safety
- Much more

**REQUEST TECHNICAL ASSISTANCE BY SCANNING THE BELOW - OR CONTACT MARILEE.LAFOND@UNH.EDU**



# HOW TO DEAL WITH DIFFICULT PEOPLE

Join Mike Smith with Baystate Roads for tips & tricks to reduce the GRRRR in life...

**WEDNESDAY MAY 12**  
**10:00-11:00 AM**  
**Registration [t2.unh.edu](https://t2.unh.edu)**

**-FREE-**  
**1 SUPERVISORY NH RS HOUR**

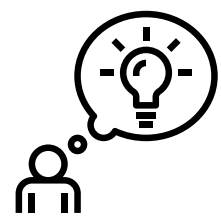


About the Instructor - Michael Smith

Mike is the Technical Training Specialist from Baystate Roads. As a Highway Superintendent for 20 years, he not only developed & implemented modern road maintenance techniques, but also a variety of techniques to work with different personalities, address conflict, and approach difficult conversations.







# Innovation Station

Featuring a winning Build-A-Better-Mousetrap entry from 2019 on the insert after this page. Now is the time to think about the creative innovations that you implemented in 2020. Did you tweak a process, change a piece of equipment to make it more user-friendly, to improve your and your teams' safety? Did Covid-19 make you creative in how you kept yourself and others safe in your daily work? - Tell us about it! And have your idea and entry ready for the Build-A-Better-Mousetrap competition of 2021!



## New Hampshire, The Beautiful!

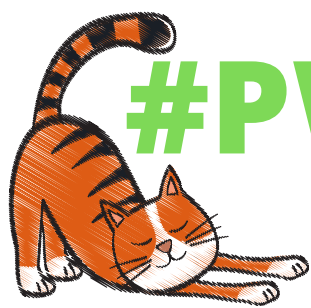
Local pictures are the best! We are so happy and thankful to have received some outstanding pictures! We are still looking for more submissions from the road (safety first, please), and encourage you to show us your (hobby) photographer talent! - Thank you! - Send your pictures to [marilee.lafond@unh.edu](mailto:marilee.lafond@unh.edu) for the next Road Business edition!



What is your department doing during NPWW? - Gilford DPW painted the picnic tables on Gilford Beach and planted and cared for flowers on Glendale Docks. (2020) Pictures: Meghan Theriault, Gilford DPW



A coat of fresh paint on Gilford's Town Beach picnic tables.  
#PWMakesItHappen  
Picture: Meghan Theriault, Gilford DPW

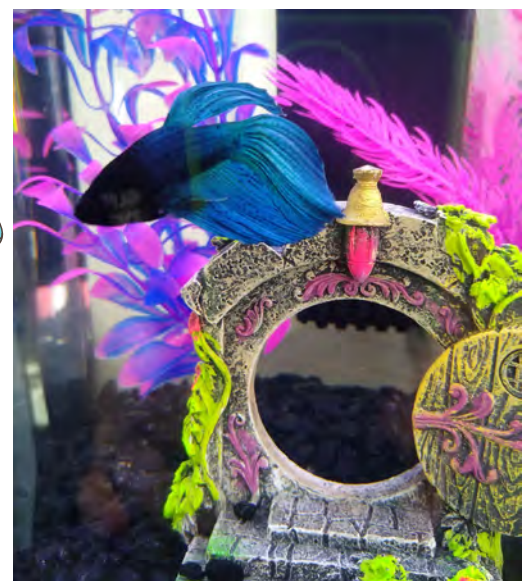


# #PWpets



Got a PWpet? Send us pictures!  
Tag us on Facebook with  
**@UNHT2CenterLTAP and #PWpets**

Gilford's #PWpet: Meet "Gillie"! Gillie is a boy fish and was named after crowdsourcing for the right name on Facebook. Picture: Meghan Theriault





# FACILITIES IMPROVEMENTS

These innovations enhance the quality of operation and improve the use of transportation facilities through construction, alteration, and innovative repair.



## WINNER

East Brandywine Township,  
Chester County, Pennsylvania

## Rolling Rack for Salt Spreaders Boosts Safety

"I usually say if you don't find anything to do, you're not looking hard enough," remarked Matthew VanLew. As Roadmaster of East Brandywine Township in Chester County, Pennsylvania, VanLew doesn't believe in idle hands. The former carpenter oversees 38 miles of roads and helps maintain a 19,000-square-foot municipal building. There are endless acres of grass to cut and trees to clear, and always something to repair.

VanLew often reminds his crew of five that if they're faced with a job they don't feel comfortable doing, they shouldn't. Many of the team's morning meetings conclude with him reminding them, "Be safe out there."

This level of support makes public works employees like Derrick Claas and Kyle Mortzfield feel empowered when exercising their problem-solving muscles around the garage. They freely share their practical yet creative ideas, especially when it comes to finding ways to save space. No stranger to the creative process himself, especially when it comes to working with wood, VanLew says "sawdust is in our blood."

East Brandywine Township's facility is filled to capacity with equipment and supplies inside and outside of the building. For most equipment, indoor storage is preferred to protect the investment. However, space is at a premium, and oversized equipment, such as salt spreaders weighing

300 to 500 pounds, pose the biggest storage challenge. Couple that with the need for quick and easy access during the winter and you soon find yourself out of space.

"They would all be spread out on the floor," says Mortzfield. "To get to them, we would have to move a truck and a couple of plows because we don't really use them a whole lot."

Not only were the spreaders tucked away on the front side of the garage, but each also required a backhoe to lift it onto the back of a truck outside—and the help of two to three people. To get the backhoe into the garage, many other pieces of equipment had to be moved out of the way.

Claas and Mortzfield knew there must be a smarter way to organize and move the spreaders, so the duo started brainstorming. Drawing on previous project experience, such as mounting a wheel on a concrete mixer to make it easier to transport, they arrived at the perfect solution: a self-contained unit on wheels that could be operated by a single person.

Realizing they could easily repurpose lumber that had been reclaimed from an old structure, they took dimensions of the spreaders and started building. Casters and hardware were the only items that needed to be purchased for the project, resulting in a total cost of \$50.

The biggest challenge was figuring out how to stack the spreaders so the bottom row had access, but they solved this problem with an ingenious two-piece, double-decker design. Perched on wheels, the first layer holds two spreaders, while the cradle above them holds two more.

At a moment's notice, the new 5 L x 9 W x 4 H foot rack could be wheeled out the door to a chain hoist the township garage salvaged from an old pump station. Once hooked to the spreader, the hoist can raise and lower it so it lines up perfectly with a dump truck. The same person who wheeled the rack out can then position the four pins necessary to finish mounting the spreader into place.

"It makes it a one-man operation and safer than using the backhoe," says VanLew of the project's benefits. And not only is it safer but it's also more efficient.

According to Claas, "You can get a spreader onto a truck on your own probably in 10 to 15 minutes. It would probably take the same amount of time using the backhoe, but that was also with two or three people doing it. You save 20 minutes per spreader because those other two employees could be doing something else [like loading the truck with salt]."

"Plus," VanLew continues, "during snow or bad weather, we have to pre-salt the roads as quickly as we can—or maybe we're called in the middle of the night and it takes about a half-hour to get to the township garage.... By putting the spreader on one truck within 10 minutes, that driver does not have to wait to help with the other trucks. It saves a lot of time and it gets us on the road a lot quicker."

This time- and space-saving innovation led Claas and Mortzfield to receive recognition at an East Brandywine Township Board of Supervisors meeting, and they've started to share their idea with public works colleagues in the area.

VanLew is proud of their innovation. "To see what they did and what they accomplished, and how it's really benefited the township and our crew, is pretty amazing."

Asked what's next for the duo, VanLew laughs and says, "I can see their wheels spinning right now."



© 2019 Matthew VanLew, East Brandywine Township, Pennsylvania.

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**For more information, contact:**

East Brandywine Township,  
Chester County, Pennsylvania  
Matthew VanLew, Township Road Master  
610-269-8230  
[roadmaster@ebrandywine.org](mailto:roadmaster@ebrandywine.org)





6/7 @ 8 AM  
Safe Ops of a  
string trimmer



Join UNH T2 Thurs. 5/20 from 8a-11a

Hot Topics in Road Law for the  
Municipal Public Works Leader



WE'RE HIRING!

Program  
Coordinator

Administrative super-powers to help us plan and execute the trip?  
Up for some curves, twists, and speed?  
Like helping others on their own journey?  
Champion of public works?

YOUR JOURNEY COULD START HERE!

<http://bit.ly/JoinUNHT2>

Details here.



Register for events  
at  
<https://t2.unh.edu>



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