



BROCKTON TRAFFIC COMMISSION
Minutes of the Special Meeting
November 10, 2010

The Traffic Commission held a Special Meeting at 7:00 p.m. on Wednesday, November 10, 2010, at the Brockton Police Station, 7 Commercial Street, Brockton, MA 02302. Present were Captain Leon McCabe, Chairman, and Commission members Fire Chief Richard Francis, Kenneth Galligan, Councilor Paul Studenski, Ken Goldblatt, Commissioner Michael Thoreson and Councilor Todd Petti. There being a proper quorum, the meeting was called to order by Captain McCabe. Also appearing at the Traffic Commission meeting were Brockton Police Lt. Donald Mills, Councilor Thomas Monahan, School Committee members Patricia Joyce, William Carpenter and Timothy Sullivan, and Michael Thomas, Director of Transportation for the Brockton School Department.

FLASHING SCHOOL ZONE LIGHTS

Request from Superintendent of Schools Matthew Malone on behalf of the Security/Safety/Transportation Subcommittee of the Brockton School Committee that the timing of the flashing lights in all school zones be extended from 7:00 a.m. to 9:30 a.m. and from 2:00 p.m. to 3:30 p.m. Also, discussion of the public safety issue regarding the elementary and middle schools which do not currently have any flashing school zone lights in place.

Captain McCabe indicated that the issue tonight was the timing of the flashing lights at all school zones. There was a request from the School Committee Safety Subcommittee that the lights be extended from 7:00 a.m. to 9:30 a.m. and from 2:00 p.m. to 3:30 p.m. Captain McCabe stated that the Commission would also like to discuss the safety issue regarding elementary and middle schools which do not currently have flashing school zone lights in place. The special meeting was prompted by the accident that took place in front of the Hancock School on Pearl Street. The accident date was September 27, 2010; a young boy twelve years old was hit by a car and was badly injured. Captain McCabe read from the narrative of the accident report which stated that Witness #1, who was driving behind the vehicle that hit the boy, stated that Vehicle #1 was traveling approximately 20mph. So the speed of the car when it hit the boy was 20mph. Witness #1 was behind the car that hit the boy noticed the children in the street and was surprised when the driver did not stop. He did not see if the driver was looking at the road or elsewhere at the time of the accident. The driver of Vehicle #1 states that it was raining and hard to see; he noticed the vehicle in front of him drive around something in the road but he did not notice

what it was until he saw the children and he was unable to stop. Vehicle #1 hit the rear child causing a large open wound with possible broken bones.

Captain McCabe stated that according to the report speed was not a factor that caused this accident; it was operator error, if the witness states that the driver was going 20mph when he hit the child. Knowing that, the Traffic Commission took action by reviewing the area and changing the speed limit on Pearl Street in the area of the school zone, which also includes a park, by reducing it from 40 mph to 30 mph. The Commission also reached out to Lt. Mills and the School Department and had the word "School" repainted in the road at the location near the Hancock School, for better visibility. Traffic enforcement was increased up on Pearl Street.

Captain McCabe stated that in previous years school lights were put on thirty minutes before school and thirty minutes after school. That was changed to 40 to 45 minutes depending on the school before school starts and thirty minutes after school starts. Captain McCabe presented a packet with a chart showing the on/off times for the flashing lights at the school locations. These actions were approved at the meeting of October 28, 2010.

Captain McCabe stated that he received a communication from the School Committee, which was received on October 29, 2010. This letter stated that at the Security/Safety/Transportation Subcommittee meeting of October 27, 2010, it was voted to send a letter requesting that the Traffic Commission extend the time of the flashing lights in all school zones from 7:00 a.m. to 9:30 a.m. and from 2:00 p.m. to 3:30 p.m. and further that this issue be discussed at the October 28th meeting. As the letter was not received prior to the October 28, 2010 and further that the issue was not on the agenda, it therefore could not be discussed as it would be in violation of the Open Meeting Law.

Captain McCabe stated that he was confused as to the times requested and asked for clarification. School Committee member Patricia Joyce explained that they felt that those times would cover the times during which the middle school students were walking to school and crossing those streets headed to school and that this would alert motorists that there were children walking to school. Captain McCabe questioned why the lights would stay on until 9:30 when all of the children would be in school by 9:00 a.m. Mr. Thomas from the School Department indicated that 9:00 a.m. was the latest start time and Mrs. Joyce agreed that the lights would not be necessary after that time. Captain McCabe also questioned why the afternoon start times would be 2:00 p.m. and Mrs. Joyce stated that the middle schools get out at 2:00 p.m. Captain McCabe stated that they get out at 2:30 p.m. and Mr. Thomas concurred with that timing. Mrs. Joyce stated that she did not draft the letter. Mike Thomas indicated that the Superintendent's secretary drafted the letter and at that time they were focusing on the middle schools and that would account for the timing. School Committee member William Carpenter stated that previously there were 4 junior high school but with the reconfiguration now there are eight middle schools, and the walk zone is now two miles for those students. He stated that there are a lot more walkers than

there used to be, and the intent was to protect the students. The primary purpose in their request is to increase student safety and if the flashing signs would at least slow some of the traffic down on main roads then it would help. Mr. Carpenter stated that Captain McCabe's point was well taken and that possibly 7:30 to 9:15 a.m. might be more appropriate for morning times. Captain McCabe noted that the School Committee requested the afternoon lights be on until 3:30 p.m. and that currently the Traffic Commission has the lights on until 3:40 p.m.

Mr. Carpenter noted that all ten elementary schools now have extended day programs and the school doors open at 7:00 a.m. and some students are arriving that early; so that even though classes may not start until later the schools are open and students are there. Captain McCabe expressed that he wished the School Committee had invited the Traffic Commission to one of its meetings and he would have been happy to attend to discuss their concerns.

The concern of the Traffic Commission members and members of the police department is that if the lights are put on too early and left on too long, eventually the motoring public ignores the lights. Captain McCabe researched the issue and contacted the Massachusetts Department of Transportation for clarification. In the response from Richard Wilson, a DOT traffic engineer, he cited The Massachusetts Amendments to the Manual on Traffic Control Devices and Standard Municipal Code, Official Standards for School Zones, Section 7G, "Permissible Times of Operation", which states in part that:
The flashing school zone lights should only be in operation when children are going to or leaving school, or during the noon lunch hour. Also, permissible, as indicated in Section 7G-3 is a supplemental sign indicating "when children are present" as opposed to the posting of fixed hours.

Mr. Wilson further stated in his e-mail that: *"The intent is that when the school zone lights are illuminated, and children can be seen walking to school, it should be an obvious conclusion on the part of the motorist that the 20 mph speed limit is in effect. The reason for these particular restrictions/regulations is that if the lights were simply left on all day, their effectiveness would be compromised as they would typically be ignored for the most part by motorists."*

Captain McCabe questioned whether putting the lights on too early and leaving them on too long would we eventually be jeopardizing the children because the lights will be ignored. He indicated that another study had recommended that lights be put on one-half hour to one hour prior to school start times so that the motoring public know the seriousness of the restriction. Captain McCabe said that another potential problem could be if the lights are on too early and a motorist comes into the 20 mph zone and slows down suddenly and is involved in a rear-end collision, would the City then be exposed to liability for having the school zone lights on at a time when school was not in session.

School Committee member Patricia Joyce inquired as to the lights could be started in the morning thirty minutes prior to middle school start times and leaving them on for thirty minutes past the elementary start times; and in the afternoon starting them at fifteen minutes prior to dismissal or at dismissal time for middle schools and then thirty minutes past elementary school dismissal time in the afternoon. Commissioner Thoreson stated that currently the lights are on for forty minutes past the elementary school dismissal times. Captain McCabe stated that the Department of Transportation recommendations are that we keep within a one hour zone of the particular school that those lights are covering. We have adjusted the times for the individual schools, and have merged lights where possible, for example at the Raymond School and North Junior High, and Huntington School with South Junior High. Mrs. Joyce asked when the lights were adjusted and Captain McCabe indicated that it was over a month ago. When Captain McCabe was working with the School Department last year, he worked with the custodians to see what they recommended for the timing of the lights and that is when it started. Mrs. Joyce said that this was the first time she has seen a listing of the times that the school lights are on, and suggested that the School Committee Safety Subcommittee could possibly reconvene to study the times and see if it satisfies the requirements for the middle school students. Mrs. Joyce also stated that some of the school zone lights are in neighborhoods where there may be no middle school students crossing major road so the lights may not be needed. School Committee member Bill Carpenter stated that he would like the lights on one hour prior to the start time of 8:20 a.m. and said that it would be worth it to save an injury to a child. Captain McCabe agreed that the student safety is most important but reiterated that if the lights are on so long that they mean nothing then we might be jeopardizing more children. The City has written over \$600,000.00 worth of tickets this year; not because people are good drivers but because they are not. Captain McCabe stated that the studies indicate that limiting the light times is what protects the children the most, but Mr. Carpenter said that we already know it didn't work because a child was hit. Mr. Carpenter said that they are only trying to slow the cars down to 20 mph, and Captain McCabe stated that the operator involved in the accident where the student was hit was only going 20 mph; speed was not a factor. Captain McCabe said that the Traffic Commission is willing to work the times out to please everyone, but he would like to stay within the guidelines set by the Department of Transportation for the protection of the City. Mrs. Joyce indicated that she understands that the lights have to be meaningful and that they would lose their impact if left on too long. She does not believe that decreasing the speed on Pearl Street is going to help the issue, but she does think that people will stop for the flashing lights, but they do have to be within a certain time frame to have meaning. Mrs. Joyce said that she stands by her recommendation that the School Committee Subcommittee revisit the actual start times and end times and look to see which signals would be most beneficial to start and end, now that they have new information which is helpful. Mrs. Joyce would like to be able to make additional recommendations to the Traffic Commission, or meet again if that is the consensus.

Commissioner Thoreson asked if there is any data as to how many school children walk through the school zones and Mrs. Joyce indicated that is one of the issues that they are looking into. Commissioner Thoreson stated that the boy that was hit was going to West Junior High and Mrs. Joyce indicated that it is the main thoroughfares that cause a problem. Commissioner Thoreson stated that if motorists go by and the lights are flashing but there are no students walking, after a few days they are going to increase their speed and defeat the purpose.

Councilor Thomas Monahan asked if the timing of the lights presently is at the maximum recommended by the state and Captain McCabe stated that the guidelines are one hour and Councilor Monahan stated that he would like to see if we could go to the maximum time. Captain McCabe asked the members whether the afternoon was of as much concern as the morning and Mrs. Joyce indicated that the morning is more of a problem. Mrs. Joyce also indicated that during the winter months it is dark in the morning. She also suggested that working with target areas would be more beneficial than a blanket approach.

Councilor Paul Studenski made a motion that the School Committee revisit the issue, refine and define their requests, and return to the Traffic Commission. On the motion, Ken Galligan stated that expediency is needed and that the school zone lights are designed to provide protection for the children at the school locations and they were not intended to provide city-wide protection. He stated that the timing is 40 to 45 minutes before school starts and 30 minutes at the end of the day and that if we worked in reverse and the lights come on just prior to the dismissal and stay on for half an hour, that the children usually leave the area within that half hour. In the morning, there could be staggered times when they arrive and if what we are hearing from the State is that anything beyond an hour is unreasonable, then they would probably tell us that if we go beyond an hour then whatever happens in Brockton we'd be on our own because we went outside the recommended guidelines. If we looked at a window of one hour for the lights in the morning and in the afternoon a window of a half hour for the light so that if there are schools that start earlier than others that one hour window might be slightly earlier and another zone might be slightly later, so that the lights would not be the same all across the city but we would be without our purview. He stated that when you read the regulations it is very specific as to where the lights have to be placed and how far from the school they are supposed to be we don't have a lot of leeway. If a child crosses the street at 6:30 in the morning and the light does not come on until 7:30 a.m. he does not know else we could do to solve that problem other than educating the children about their responsibilities, but he does not think that changing all of the flashing lights is a cure-all for the problem. If we stay within the parameters and use the one hour window for each school, we might make some progress. Traffic Commission member Ken Goldblatt stated that both the parents and the children need to be educated.

On the motion, Councilor Todd Petti showed the members a newspaper article from Newton stating that two students were struck by cars within two minutes of each other. This is not an issue only here in Brockton, but elsewhere as well. Education is the key, and he suggested that perhaps it should be part of the school curriculum. The members agreed that education of the parents, the students and the drivers is all needed.

Ken Galligan stated that the motion on the floor is that the issue be sent back to the School Committee Subcommittee and we agree that we are looking at a one hour window in the morning and a half hour window in the afternoon. Mr. Carpenter said that he does not think that we have to make it more complicated than it is, and that Captain McCabe has stated a strong case as to why it should be one hour before and thirty minutes after and that the reservations are based on guidelines from the State and he would ask that the lights be extended a little bit but stay within those guidelines and that would add an additional 15 to thirty minutes earlier which is the critical time of the day and it would give us a little more than what we have right now without going beyond the clear guidelines. Mrs. Joyce gave an example of the Baker School. The Quincy Street lights go on at 8:20 and East Middle School lights go on at 7:30 a.m. There are a lot of kids going to the East that cross over Quincy Street and if the earliest we could start the Quincy Street lights was 8:00 a.m. then it would not help the East students. Mr. Carpenter stated that at least it is better than what we have and there is a strong argument that there is a point of diminishing returns with these things and we cannot just leave the lights flashing all the time or no one will pay any attention to them. Mr. Carpenter stated that the biggest exposure is the middle school students but that the guidelines are pretty clear and we have some room to expand a little bit but stay within the guidelines and we can always come back in six months if it isn't working. Mrs. Joyce asked how much would change if we went with the state parameters and Captain McCabe indicated that we would gain 15 to 20 minutes in the morning and in the afternoon they would stay basically the same. Mrs. Joyce stated that she respects the opinion on the diminishing returns if the lights are left on too long, but she would hate to see someone injured because the lights are not on, but we do the best we can and then try to educate the students to be respectful of traffic and if it is agreeable to the other School Committee members present she would accept the Traffic Commission recommendations.

Mike Thomas from the School Department indicated that some of the flashing lights are old and he questioned whether there is anything that his office should do. Captain McCabe indicated that some of the clocks in the flashing lights are digital and you can pinpoint the time and others are the old dial system so they might be a problem. The Traffic Commission is replacing parts with old lights whenever possible.

Councilor Studenski stated that he was willing to withdraw his motion, but that the School Committee members were welcome to come back to the Traffic Commission in the future. The motion was then withdrawn.

Ken Galligan made a motion, which was seconded by Commissioner Thoreson, and a unanimous vote of the members present, as follows:

VOTED: That the time of the school crossing lights for a one hour window in the morning and a one-half hour window in the afternoon based upon the start and end time of the school day for that particular school.

Captain McCabe indicated that there are three schools which do not have the blinking yellow lights and for the safety of the children those schools should be equipped with the lights. If the School Department would buy and install the lights, the Traffic Commission will take over maintenance and upkeep. Captain McCabe identified the Ashfield School, the Goddard School and the Keith School and the old high school. The old high school does not need them because its 9th grade and up so the federal law passed in 2009 allows us to put them there but they are not required. Mike Thomas indicated that the Keith School houses high school students as the Champion Alternative School but there are probably 12 students out of the 200 enrolled there who are 7th and 8th grade. He also looked into the costs of the lights and it would be approximately \$16,000.00 per set with installation for the solar lights; with a cost of \$48,000.00 he would be happy to present the request at budget time to the School Committee but at this time there is no money budgeted for this fiscal year to be able to purchase the lights. Captain McCabe stated that there must be a lot of students walking to the Ashfield School on Coe Road and that lights should definitely be installed for that school. The Goddard School would only need one light; Mike Thomas indicated that the Goddard School is a specialized special education school and the majority of the students are transported there. Captain McCabe stated that if the majority of the students are transported there, then the School Department should concentrate on the Ashfield School. He further suggested that the non-solar lights might save \$4,000.00 or so and Mr. Thomas stated that if only one school needed lights then perhaps the money could be found to cover one school. Ken Galligan suggested that as an alternative to address the issue quickly there is an option to put school zone signs up with an additional sign that states that you have to travel 20 mph between certain hours. As he reads the regulations, he does not believe that you could put the lights on the main road in, Alphonse Road, as the school does not front on that road. Mr. Galligan questioned as to when the new timing of the lights could be established and Captain McCabe indicated that it could be accomplished within a month.

Councilor Monahan indicated that Ward One Councilor Tim Cruise could not attend the meeting and Captain McCabe read his letter of support into the record, as he is strongly in favor of the proposal to extend the school zone speed limit signs.

Captain McCabe suggested that regarding the issue dealing with the schools which do not have the flashing lights that the matter be table until Mike Thomas can get back to the Committee.

Upon motion made by Councilor Studenski made a motion, seconded by Commissioner Thoreson and a unanimous vote of the members present, it was

VOTED: to table the matter at this time.

There being no further business to come before the Commission, upon motion duly made by Captain McCabe, seconded by Chief Francis and a unanimous vote of the members present, it was

VOTED: To adjourn.