



**BROCKTON TRAFFIC COMMISSION
MINUTES OF THE MEETING
APRIL 28, 2011**

The Traffic Commission held its monthly meeting at 7:00 p.m. on Thursday, April 28, 2011, at the Brockton Police Station, 7 Commercial Street, Brockton, MA 02302. There being a proper quorum, the meeting was called to order by Captain McCabe. Present were Commission members Paul Sullivan, Kenneth Goldblatt, Kenneth Galligan, Fire Chief Richard Francis, Councilor Dennis DeNapoli, Councilor Todd Petti, , as well as Councilor Paul F. Studenski, Councilor Thomas Monahan, Councilor Jass Stewart, and residents Paul and Ellen Girard, John L. Alves, Estela dos Santos, Reverend Steven Warner, Willie Wilson, Jr. and Kathryn Archard.

Upon motion made by Paul Sullivan, seconded by Dennis DeNapoli, and a unanimous vote of all members present, it was voted to waive reading and accept the March Minutes.

As several residents were attending the meeting, Captain McCabe took these items out of order.

TERMINAL PLACE

Request from Councilor Paul Studenski that the “No Parking Here to Corner” signs on Terminal Place be moved one hundred feet (100’) in from the corner of Montello Street.

Councilor Studenski met with the owners of the property and several people in that area and he is requesting that if the Traffic Commission could just make it no parking to where the cut is for the driveway then the vehicles would be able to park on the other side of the cut and that would facilitate tractor trailer trucks backing in. Councilor Studenski was given information that the owners of the old Hoppy’s property are negotiating with the owner of the RV place to purchase it. If he becomes the owner then the problem may be alleviated. Councilor Studenski stated that it was 53 feet from the corner to where the sign had been placed on the pole, so they may not need the entire 100 feet.

Captain McCabe indicated that the Subcommittee did view the area. Originally the Commission voted to have no parking on the south side of Terminal Place and the original problem was that commercial vehicles were parking on the south side. The Subcommittee felt that if the no parking were changed to residential parking only then the problem with

the commercial vehicles would be eliminated but allow the residents of the neighborhood to park there. It was also felt that if they moved another ten feet back, then they would get one additional parking space for the residents. Ken Galligan stated that right now from the telephone pole to the driveway there is room for 2 cars on the north side. He stated that what is being suggested is that parking be prohibited from Montello Street down to the driveway and the parking from the second gate to the end of the street, which is now restricted parking, would then be changed to allow parking on the south side, so we would be trading the spaces from the north side and moving them to the south side, and designating those on the south side for resident parking only. So the thought of maintaining one vehicle west of the driveway now is off the table and now they are looking at no parking from the corner of Montello Street to the driveway. Captain McCabe stated that it was not off the table, but was up for discussion. Ken Galligan asked for clarification, stating that they allowed 2 cars to park from the driveway west. Captain McCabe stated that at Subcommittee review that was reduced to one car and that Councilor Studenski is suggesting not to allow that one car either. Councilor Studenski stated that it would make it easier for the trucks to back up to get in there. Ken Galligan stated that the way it was there were 3 parking spaces on the north side between the driveway and Montello Street and what is being proposed now is to remove those 3 parking spaces from the north side and move those 3 parking spaces to the south side. Councilor Studenski stated that there are only 2 parking spaces not 3. Ken Galligan stated that after Subcommittee review it was suggested that there would be one parking space on the north side from the driveway heading west for one vehicle and then the no parking on the south side would be relaxed and opened up for resident parking only.

Councilor Studenski asked that the matter be postponed so that the Subcommittee would go to the side with the owner of the property and the residents. Captain McCabe asked whether Councilor Studenski had seen vehicles backing in, but he had not been able to at this point. Captain McCabe stated that they only saw tire tracks, but that the vehicle had enough room with 2 cars parked there. Councilor Studenski asked that the matter be postponed and he will arrange to have a car parking there, get a tractor trailer truck to back in and let the Commission observe it backing in.

Upon motion made by Ken Galligan, seconded by Ken Goldblatt, and a unanimous vote of the members present, it was

VOTED: To continue the matter to a future date until the Commission members can get together with Councilor Studenski and the owner of the property.

NORTH MAIN STREET

Request from Councilor Chris MacMillan on behalf of Paul Gerard from the Professional School of Bartending located at 660 North Main Street to have the “Two Hour Parking” signs removed from that area.

Paul and Ellen Gerard brought in a poster showing a map of the area of 660 North Main Street. Mr. Gerard stated that they are looking for the three “Two Hour Parking” signs from Vine Street south on North Main Street, two on the west side and one on the east side of the street, to be removed. Mr. Gerard stated that the Professional School of Bartending operates six days a week and four nights a week, with sessions running from 3 ½ hours to 5 hours. The signs are a real detriment to their business; as people come to visit or sign up they see the signs and it is a detriment. They have operated out of that building for 24 years and there has never been a parking problem. Mr. Gerard stated that the December Minutes of the Traffic Commission state that these signs went up because the residents are using the parking spaces and there is no room for businesses to park. He stated that is not the case in his area; there are 2 residential apartments at 660 North Main Street with four parking places behind the building for them to park. It is not a problem of residents taking up the parking spaces and never has been. Mr. Gerard met with Scott Dwyer and he is opposed to taking the signs down, but the signs have had a detrimental effect on their neighborly atmosphere. Using his map, Mr. Gerard showed the Commission members the sign in front of the vacant lot at the corner of Vine Street and the second sign in front of Dwyer Glass; these 2 signs point north. The other sign is in front of U-Haul and points south. Now with the signs up, as their students come in they are parking right in front of Dwyer’s building. Mr. Gerard stated that Mr. Dwyer wants his space in front of his door for his customers; and so do they. But the signs have the effect of taking that away from him. Dwyer has people coming over to the school all the time requesting that someone move the car parked in front of their building; and they do get the car moved. But the issue is, that the signs are up there to help the merchants. On the other side of Vine Street, Mr. Gerard knows that there are a lot of residents there and parking is tough up there and the signs are necessary to help the merchants, but in his area there are no residents taking up the spaces. In 24 years, they have never had a problem parking and it is a real detriment to their business now. It was suggested that they have people park down on the other side of Dwyer’s building on both sides of the street. Their classes end at 10:30 p.m. and he doesn’t know if he would ask anyone to walk down North Main Street at 10:30 p.m. and especially a young girl with a predicable schedule.

Mr. Gerard said he understands that no one has received a ticket for parking there illegally, but when people come to visit the school and they see these signs they question where they can park. Their business brings thousands of people to Brockton; 91 percent of their students do not live in Brockton; 76% of the students do not even live in an adjoining town. These people might not come to Brockton except for their school. Their business does a good job of bringing people into the city and they do not bring troublemakers in;

they bring people with money in their pockets looking to improve their life. They buy breakfast and lunch and dinner, and gas, and snacks. They are the people that you want coming to Brockton and there is a detriment going on with the no parking signs. Mr. Gerard said that no one ever talked to them prior to the signs going up; all of a sudden one day the signs were up and that was not fair. The point is: the signs are there, they are a detriment to their business, they are not solving a problem, they are causing a problem, and he is hoping that the Commission will vote in favor of removing the signs.

Captain McCabe stated that at last month's meeting it was decided that Councilor DeNapoli would attend the Montello Business Association meeting. Councilor DeNapoli stated that they never notified him when the meeting date was and then he was out of town, so he did not attend the meeting and has nothing to report back. Captain McCabe asked Mr. and Mrs. Gerard if they attended the meeting and they stated that they did. Captain McCabe asked if they tried to work something out at the meeting, and said that originally the Montello Business Association contacted the Traffic Commission requesting the signs and they assured the Commission that it was unanimous among the business owners in the area, so the Commission accommodated the request by putting up the signs and now, after the fact, the Commission found out that there is one business that did not like it.

Mrs. Gerard stated that she is a member of the Association and she cannot go to the meeting because she works Wednesday nights. The members were never notified that this was going to happen. She said that Scott Dwyer says that he notified all the businesses in the area, but she doesn't know how she missed him. Captain McCabe stated that he did walk up and down North Main Street with Mr. Dwyer and went into businesses and they all wanted it. Mrs. Gerard said that she is right next door to Dwyer's and no one came to her business. Captain McCabe stated that Mr. Dwyer was guiding him and as President of the Association, Captain McCabe believed it was what the Association wanted and that is why he recommended it to the Commission.

Captain McCabe asked if there was a compromise worked out at that last Association meeting, and Mr. Gerard stated that they talked about it and it came down to Scott Dwyer not wanting the signs to come down, and no one else at the meeting was from their area. Captain McCabe stated that the Home Café wanted the signs, and Mr. Gerard said that he went to Home Café and talked to Paul, who said he so upset about the signs. Mr. Gerard said that Paul told him that there is no baseball game or football game that is less than 2 hours long and he would like to have his customers there to watch a game. Mr. Gerard said that Paul went on and on about how upset he was about the signs, so Mr. Gerard is not sure why he would have said differently to Captain McCabe. Mrs. Gerard said that she does not care what is in front of the Home Café or the candy store; she just wants the signs in front her building gone. She said that she would settle for just those on her side of the street, in front of her business and Dwyer Glass.

Captain McCabe stated that Scott Dwyer wants the sign in front of Dwyer Glass, and asked if they removed the sign just south of Vine Street would that be a fair compromise. Mrs. Gerard said no. Captain McCabe stated that Dwyer wants his business customers in and out. Mrs. Gerard said that if the sign stays in front of Dwyer Glass then there is no street until Vine Street so people know that the parking sign is in effect until the next corner. The other day somebody parked in front of his business and Mr. Dwyer, Scott's father, came over to them and asked them to move the car. Mrs. Gerard said that the person would not have parked there if the sign had not been there. Captain McCabe stated that what this is telling him is that if the Traffic Commission votes to remove those signs, then next month Mr. Dwyer and another group are going to be appearing before the Commission asking that the signs be put back up.

Captain McCabe suggested that he would attend the Montello Business Association meeting, along with Mr. and Mrs. Gerard and Mr. Dwyer, and anyone else and try to work out a compromise that everyone can work with. Mrs. Gerard stated that the problem that happened at the meeting was people started talking about their parking issues and she is not concerned with the other signs that went up, she is just concerned about those 2 signs. Captain McCabe stated that they can ask that the specific issue be placed on the Agenda. Mrs. Gerard said that she has no problem asking her students not to park in front his property, and she would put up a sign in her school stating that. Captain McCabe stated that he could see the Gerard's needs, and he could also see the needs of Dwyer Glass. Captain McCabe stated that if the Commission votes to remove the signs then next month they will have another request from the Association to put the signs back; Mr. Gerard said he is not so sure about that.

Mrs. Gerard said that she runs day classes, which is when the problem is. Her average enrollment in a day class is 4 to 6 people so they are not talking a ton of cars that are parking. She is not even sure why this is an issue for that area.

Councilor Petti asked how many cars could park in front of their building and Mrs. Gerard said maybe 2 cars and another 4 cars in front of the vacant lot. Councilor Petti asked if it would be true to say that this has caused friction between people and the Gerards agreed. He asked if the friction ever existed before and Mrs. Gerard said that they did not talk to Scott Dwyer; they just have businesses next to each other. Captain McCabe stated that Scott Dwyer has been trying to get this issue resolved for 3 or 4 years. Mr. Gerard said that the signs have an adverse effect on Mr. Dwyer also because the legal spot is in front of his door now and that is where he doesn't want people parking.

Councilor DeNapoli asked the Gerards what the parking is like at night and asked why they cannot park there at night. Mr. and Mrs. Gerard said that the signs do not specify a time, and their students do not want to park illegally and are afraid of getting a ticket.

Captain McCabe stated that enforcement will only be done if they get a call and can dispatch a car there because a Business Association member has made a complaint. Other than that, a car would have to drive by at 8:00 p.m. and then drive by again at 10:00 p.m. to see if the same car was there. Captain McCabe said that a good compromise might be to have a sign up that has time limitations also. There are many compromises that can be done but the best way to do it is for everyone to get together and talk.

Mr. Gerard questioned why if Mr. Dwyer has the right to have these signs up, then why do they not have the same rights. Ken Goldblatt stated that was what the purpose of getting together was. Captain McCabe stated that Mr. Dwyer was speaking for the whole Montello Business Association when he brought it to the Traffic Commission. Mrs. Gerard said that it was minus one member and Captain McCabe stated that the Traffic Commission had no way of knowing that.

Upon motion made by Captain McCabe, seconded by Dennis DeNapoli, and a unanimous vote of the members present, it was

VOTED: That any Traffic Commission member who wants to attend the next Montello Business Association meeting will attend and that Mr. and Mrs. Gerard can attend representing the bartending school and Mr. Dwyer will attend and the issue can be worked out.

On the motion, Ken Galligan stated that it is important to know that when he voted on this issue, he was voting on the President of the Business Association coming before the Commission and informing them that all of the members of the Association were in favor of this. He was not voting for one individual wanting this, and he thinks there is a valid concern that when this vote was taken that the Commission was under the impression that this had been discussed and everyone in the Association was in agreement that it was a good thing for that area. Now that the Gerards have brought it to the Commission's attention that they were not part of that decision, he can understand their concern. He asked Mr. and Mrs. Gerard if it would be helpful to them if cars could park there unrestricted after 5:00 p.m. Mrs. Gerard stated that she has day classes also, and they have to park there, six days a week. A couple of the Association members have suggesting a 4 hour parking limit, and that she would concede to that. Ken Galligan said that if it's a busy area and a car could pull in and park for 2 hours and then when it leaves another car could pull in and tie the space up for another 2 hours so if someone was trying to use this as a method of keeping a space free then it was not the best way to do it. Mrs. Gerard said that the only 2 businesses in the area are the school and Dwyer Glass, and that Dwyer has a parking lot so she is not sure why he needs the whole street free for his people. Most people drop their cars off and he has a parking lot. She has no problem putting up a sign in her school asking students to respect the neighbors and not park in front of his building.

She said that Dwyer's father had come over to ask them to move a car, and her first reaction was to say no. Mrs. Gerard said that she cannot go to the Association meetings because she usually works Wednesday nights and she does not get the Enterprise, but as a member of the Association since they started she is annoyed that as a courtesy she was never approached about this issue, and even if she wasn't a member, as a business owner she should have been approached. She felt that both of those things were very negligent on their part and not good business. Paul Sullivan asked if the Association sends out Minutes and Mrs. Gerard said that they have a website but they haven't had Minutes on the website since January of 2009 so even if she tried to keep up with the Association the minutes weren't posted.

Councilor DeNapoli asked when the next Association meeting was, and Mrs. Gerard said that they are the first Wednesday of each month at 6:00 p.m. Mr. Gerard said that he would call and make sure that the Commission knows when the meeting is, and Mrs. Gerard stated that she would contact them to make sure the item gets on the Agenda. The meeting is held at St. Edith Stein Church.

LANSDOWNE STREET

Request from Councilor Jass Stewart on behalf of John Alves of 21 Lansdowne Street to have "Go Slow, Children" signs posted on Lansdowne Street to mitigate the speeding traffic on that street.

Mr. Alves stated that drivers speed on the street and he requests that stop signs or signs to have drivers slow down be added before someone gets hurt. Councilor Jass Stewart stated that he visited the street, although at the time he was there there wasn't much traffic, but that he would request that the Commission view the area.

Upon motion made by Paul Sullivan, seconded by Councilor DeNapoli, and a unanimous vote of the members present, it was

VOTED: To refer the matter to Subcommittee for review.

Captain McCabe also informed Mr. Alves that he will send a traffic enforcement unit to Lansdowne Street to conduct a radar patrol.

ASH STREET

Request from Councilor Jass Stewart on behalf of Estela Gomes Dossantos of 843 Ash Street to have “No Parking” signs placed in the area of Ash Street near her home as cars park alongside her home to pick up children from the Kennedy School and she has sustained damage to her fence when the kids swing the car doors open.

Councilor Stewart indicated that he visited Ms. Dossantos on Ash Street and he observed parents coming to pick up their children and parking in front of the homes and then when the car doors are opened, the doors are hitting the fence. Councilor Stewart actually witnessed the damage, and said that Mrs. Dossantos has had the fence repaired a couple of times previously at her own expense. She is seeking a “No Parking” sign at the corner and for the area extending beyond her house.

Councilor Stewart and Mrs. Dossantos also stated that the heavy trucks using Ash Street have caused damage to her home, such as cracks in the ceiling and foundation. Councilor Stewart asked if it was a truck route and Captain McCabe stated that it is very difficult to limit trucks on major streets in the city but that if there is this kind of damage the trucks may either be overloaded or going too fast for the conditions of the road. Captain McCabe indicated that he would have the traffic unit go to the area to check trucks to see if there are any violations.

Councilor DeNapoli asked Councilor Stewart if there were any problems on the street, such as water main replacements, or whether the street is smooth. Both Councilor Stewart and Councilor Todd Petti indicated that Ash Street is smooth.

Upon motion made by Ken Goldblatt, seconded by Paul Sullivan, and a unanimous vote of the members present, it was

VOTED: To refer the matter to Subcommittee for review.

WARREN AVENUE

Request from Councilor Thomas Monahan to change the “No Parking” signs to “No Parking Monday through Saturday” on Warren Avenue from West Elm Street southerly to Belmont Street.

And

WEST ELM STREET

Request from Councilor Thomas Monahan to have the restricted parking on West Elm Street from the intersection at Warren Avenue westerly to Newbury Street marked “No Parking Monday through Saturday”.

Councilor Monahan asked that the request be changed to limit it to the area as far as the Boys and Girls Club rather than all the way to Belmont Street. He stated that the cars have been parking there for a number of years and now started getting tickets recently and it is on a Sunday and that does not seem to be a busy traffic area on a Sunday for a church. He requested that it be changed to either Monday to Saturday or Monday to Friday keeping it no parking, and then on Saturday and Sunday there would be parking allowed. Councilor Monahan said that they are only talking a couple of hours on Sunday and also on the West Elm Street side, probably from the driveway down to the field to allow parking.

Chief William Conlon said that this church is no different than a lot of churches in the city; it is a big old church built a hundred years ago and has a big capacity, but little or no parking. The problem is, do we discourage people from going to worship or do we give them tickets, or do we say that Sunday morning is not that busy and its not the same as the rest of the week when Warren Avenue is a busy thoroughfare. He can see not parking near the corner, limiting that, but to say that they cannot park there at all on a Sunday seems prohibitive given the fact that they do not have any other parking. He knows that there have been suggestions that they should purchase the lot across the street, but the church does not have a lot of money. This is an active church and they are very responsive to the needs of the community and he would like to be able to say that the city could give them back something on Sunday mornings.

Steve Warner, the Senior Pastor, introduced some congregants and board members: Dan Murphy Willie Wilson, and Kate Archard. Dan Murphy spoke on the technical aspects of the request. He brought a location map for the Commission to review. He stated that he checked with the Old Colony Planning Council and the “No Parking” signs were installed when Main Street was made one-way so that the southbound traffic that was on Main Street could now travel Warren Avenue. He stated that he believes that most traffic that was previously using Main Street, Route 28, as a throughway is now probably using Route 24 to head south. Certainly Sunday is not a problem for traffic. Right now in front of the

church it is a 30 foot wide paved section with no striping. One of the problems that has been noticed is that north of West Elm Street there is a right turn lane a through lane and a through and left turn lane, and people in the right turn lane often go straight. He believes it would work in the city's favor for the safety and speed of the traffic on the roadway to include a parking lane on Warren Avenue. It is 30 feet wide, and he would suggest an 8 foot parking lane and two 11 foot travel lanes. It is not a problem for traffic, specifically on Sunday morning and Saturdays are not a problem. He stated that traffic during the week is very fast and you have the Boys and Girls Club and pedestrians, and it would be to the city's benefit to slow it down.

Willie Wilson, Jr. indicated that he is a member of the church and during his years there he has witnessed three accidents at the intersection of West Elm Street and Warren Avenue. He thinks it would behoove the Commission to look at this issue and act quickly. They are stating the Monday through Fridays it is busy there, but Saturdays and Sundays they have activities, and he likes the idea of having a striped area and it would make it a safer area. The church does a lot with the neighborhood and they have kids' fairs and approach the police department for special consideration for no parking or those events, but he thinks that why they are asking is sensible and would help both the church and the citizens in general.

Kate Archard said that she teaches ESL classes on Saturdays and they have a lot of people coming from all over the city and they also have a lot of elderly people come and park and being able to park right in front is very helpful to them to come right in rather than have to go around. She stated that they are good neighbors to the Boys and Girls Club and let them use the church's parking lot. She would like them to be good neighbors to everyone around the church so putting in the parking in the front, and doing it right instead of just having it out there, would be much appreciated.

Chief Francis asked the church members if they have access to that parking lot on the side and Kate Archard indicated that they have multiple events going on, and the Boys and Girls' Club shares the lot and sometimes they take the spots. Reverend Warner indicated that the lot belongs exclusively to the church and the Boys and Girls' Club has three spaces. He indicated that there was no parking when the church was originally built but a bookstore that was next door burned down and that precipitated the purchase of that property by the church. They share this property and have it posted that people from the courts can park there for free and they take care of it. They take care of it and it has been a very large expense this winter, having to take care of the snow and have it hauled off; they have spent thousands of dollars.

Reverend Warner stated that the if the Boys and Girls Club did not use their lot, they are standing out there Monday through Friday and for all practical purposes they are parking for 15 and 20 minutes there and although he doesn't suggest they get tickets he is saying

that it already occurs in high traffic times. In all these years, to his knowledge, there have been no tickets and no accidents caused by parking there, and suddenly 7 weeks ago there were tickets issued. He stated that the church members are at the meeting because they would like to believe that common sense would prevail, churches would be allowed to park there, and that tickets would not be issued. Since that did not prevail, they would like to make sure that they do not have a problem. They are a growing congregation and they do a lot for the city and would even be willing to pay the cost of striping or signage if the city cannot afford it, but the point is it would inhibit their ability to get people easily into the church and any consideration by the Commission to put signage there that will allow them to do what they do best, which is to help the people of Brockton and the other communities, would be greatly appreciated.

Councilor DeNapoli thanked everyone for coming to the meeting, and stated that he does not think the City of Brockton will accept the church's money to put up signs and pay for the street lining. He said that he believes they do a great service, and he also has the same problem at his church every Sunday morning, but there is a way around it.

Captain McCabe stated that he talked to the two officers and this all began when it was brought to his attention from an e-mail from City Hall to him with citizens complaining about the parking problem. At the same time, unconnected to the e-mail, one of the officers said he saw the cars parked all around the corner and when fire engines try to get around the corner from West Elm Street to Warren Avenue is difficult enough, but now with cars parking right to the corner it was even more difficult. That officer did not issue tickets; he spoke to someone outside, a greeter, and he never went into the church. Another officer at a later date started writing tickets because he saw the cars parked around the corner. As far as the striping, that has been painted but unfortunately the city must use environmentally friendly paint and it does not last 6 or seven months. There is not enough money to paint it twice a year. As far as light traffic, Captain McCabe was there one Sunday for 8 hours and he believes 700 to 800 cars went by; it is not light traffic, it is heavy traffic. His concern is that in the wintertime the 30 foot width of the street becomes 26 feet. This winter at times we could not get two lanes of traffic down Main Street. What he also saw was people trying to parallel park on Warren Avenue, which was very dangerous.

Captain McCabe talked to City Engineer Howard Newton, and asked for a recommendation as to how to solve this problem. Mr. Newton gave him a map and said that the parking spots would need to be 10 feet and each travel lane would need to be 12 feet and he would be against allowing parking there because you would need a total of 34 feet and the street is only 30 feet wide. While at City Hall, Captain McCabe did check in the assessor's records to see who owned the lots across the street to see if they were city owned, but unfortunately they are not. He also found an agreement indicating that those signs were put up in February of 1989. In the agreement, the Mayor and the D.P.W.

Commissioners, the City Solicitor and the City Clerk signed this agreement stating that the city is supposed to maintain that road as is, as the state engineers set it up. If we change what they did, the city could lose its chapter 90 monies. Captain McCabe stated that he does not want to put the city at that risk in making changes to something that they made an agreement that they would not change.

Dan Murphy reiterated that he did notice the striping north of the intersection and that the lane lines look nice and the stop bar and crosswalks were absent and he has noticed that at a couple of locations recently. Captain McCabe indicated that there is \$105,000.00 for painting and it is done in different stages; there is a crew that comes in for crosswalks, a crew for arrows and a crew for center lines and line separations. They do not all come in at once. Dan Murphy stated that there were 10 foot lanes north of the intersection and that in cities all over the state parking lanes are usually 8 feet; in Cambridge they do 10 feet where they want to allow for bicycle traffic. On Belmont Street presently in front of the VA Hospital there are four 11 foot lanes and the state is going to approve that and is going to keep the four lanes. Eleven foot lanes are more than adequate in this situation and right now high speed on that street is a problem and there is no striping to show people which lane to be in, so that when 3 cars come down the street everyone wants the middle lane. Captain McCabe re-stated that the paints wears away and Mr. Murphy said he finds that unfortunate and suggested that a different type of plastic paint would last longer. Mr. Murphy stated that it is a dangerous situation and is unsafe and something should be done. Captain McCabe indicated that it will be even more unsafe if parking is allowed there and Mr. Murphy said that was untrue and it would slow traffic down and you would have a safer corridor there.

Reverend Warner said that the bottom line is this: 30 years of experience indicates that there have been no attributable accidents there on Sundays from anyone parking. He agrees with Captain McCabe that there have been times that people do park in inappropriate places, which is against common law and he agrees with that. He agrees that there should be no inhibition to fire trucks or ambulances getting by, but all he is asking is that common sense prevail. If nothing has occurred in 30 years, why now do we suddenly not allow people to park there.

Captain McCabe stated that twice since he has been Traffic Commissioner, he has had a lawyer call looking for information about a street. He will send the engineer's study to that lawyer and figure it out himself. If there was an accident in front of the church, and we sent this statement to that lawyer and we changed the no parking restriction, to parking, then who would be liable? The City would be liable. If we do not change anything, the City is not liable. By changing the agreement that was signed in 1989, we would put the city at risk. Reverend Warner said that is exactly why there was a good arrangement before; that is that people parked there and there was no problem and the city was not on the hook for it, and now they have tickets and the folks are not happy with the arrangement

because they need those parking spaces. He agrees that they should not park there when there is a lot of snow, but he believes that the police chief can declare that no one should park there and then they could be ticketed. He stated that he does not understand this, and he does not believe his parishioners will understand it.

Commissioner Ken Goldblatt asked if there was any parking down on the southeast corner towards the old courthouse. Reverend Warner indicated that there is parking there but the problem is that whether it's a place of business or a shopping mall or wherever it may be, that the further you have to park, psychologically the less prone people are to come. He stated that they already do use that parking, so its not as though its not an option. He stated that he will look into the lot across the street, but in the meantime they have a problem that will not be resolved if they are not allowed to park there.

Captain McCabe stated that the area where they want to park is approximately 17 parking spots. That is not going to solve the church's problem; it is a long term problem and this is a short term solution because you have many cars parked in the Asack law office and cars parked on the east side of Warren Avenue on East Elm and other cars parked at the old high school. If that lot across the street was cheap enough that could be their long term solution. Captain McCabe said that it would be irresponsible of him to go against the State agreement as it would make the city liable, but that is his opinion and he can only speak for himself.

Chief Francis made a motion to send the matter to Subcommittee.

Chief Conlon asked if he could speak prior to a vote on the motion. He stated that he does not believe that any agreement is forever and that this agreement was 23 years ago and he asked if it was possible that before the Commission vote that they do not want to do this that someone check with the State to see if it can be modified so that everybody is covered, to say that we would like to modify it on Sunday mornings and here is what the conditions are and would there be any objection it we were to do so. Captain McCabe indicated that was why he went to Mr. Newton, because he has 45 years experience. Captain McCabe stated that what has bothered him mostly is people trying to parallel park with the speed on Warren Avenue. Reverend Warner said the previous pastor was almost killed at that corner by a squad car coming down that hill very rapidly and hitting him, but that had nothing to do with the parking situation.

Reverend Warner said that the Commission has to take care of the laws but in terms of the way they are feeling about it is that they are trying to stay in the city. They address 105 ESL students who do not have to pay for anything but their books. He said that the church needs Brockton, but Brockton also needs the church, so a little help along this line would go a very long way. He said the parishioners are not going to take kindly to a negative

decision and he wants to be upfront about that. They have not asked of anything of the city until now and this is only that the status quo remain.

Captain McCabe indicated that it was a chance happening with the two officers with the tickets and he does not think that there was anything that brought it to their attention other than the corner parking. Reverend Warner said that he is not speculating on any conspiracy theory; all he knows is that they have a problem now and hopefully it can be worked out. He is not asking for anyone to do anything wrong, all he is asking if to use common sense: there is the law, and then there is the letter of the law.

Chief Francis made a motion to send the matter to Subcommittee for review and he would like the legal people to look at the state agreement to see if it is still intact and also contact the state and see what the story is there, and come back next month and bring this back up. Councilor DeNapoli seconded the motion.

Upon motion duly made by Chief Francis, seconded by Councilor DeNapoli and a unanimous vote of the members present, it was

VOTED: to send the matter to Subcommittee for review and he would like the legal people to look at the state agreement to see if it is still intact and also contact the state and see what the story is there, and come back next month and bring this back up.

Reverend Warner asked if in the meantime, can they just continue to do what they have been doing and park there or does he have to tell all the parishioners one week they can and another week they can't. Captain McCabe suggested that they put cones out and make sure that people stay away from the corners and Reverend Warner said that they are doing that already. Captain McCabe said that if people stay off the corners then probably any officer driving by would not consider it a huge hazard. Reverend Warner stated that they have been doing it since the officers came to the church because the officers are in the right on that. He absolutely agreed that people should not park there and he would support them on that. He does not have a problem with people not obeying the law, its just those 17 spaces that were alluded to, they would like to have.

Chief Francis asked what time the services are on Sunday and Reverend Warner stated that services are at 8:30 and 11:00 a.m. and then they have had a Haitian congregation meeting there on Sunday afternoons and they will be moving soon. It is a very active congregation and they have events constantly going on. Willie Wilson Jr. stated that they are the largest protestant church in the city and the seating capacity is 550 and at special events they could have up to 1,000 so there are concerns. Police Chief Conlon added that the Methodist church is right up the street and they have the same situation with no parking lot, so they are vying for the same spots. Mr. Murphy stated that those 17 spaces increase their parking capacity by 25 percent. Mr. Murphy also stated that he would be willing to

help with a conversation with District 5. Ken Galligan asked for clarification for the Subcommittee, that it appears that they are looking for relief only on Saturdays and Sundays, and Reverend Warner said that is correct.

Councilor Jass Stewart asked if the Commission acts on this officially by inquiry in terms of the contract versus just ignoring the situation, does that make us more or less liable? The more response you get from the state, it would seem wiser not to go to the state and just ignore it. He said that the spaces are less important than not getting tickets and Reverend Warner said that they do not want to take a chance on getting tickets. Councilor Stewart asked who tells the police officers not to give out tickets and Chief Conlon responded that maybe that had been said and maybe they were given out anyways.

Councilor Petti asked if he could make one post-issue remark. He said he was glad that all the church members were there and said that the building and grounds are the most beautiful site in the City of Brockton. It is the most welcome, beautiful, landscaped, well-preserved, aesthetically pleasing church in the City of Brockton. It is an absolute gem in the heart of Brockton.

BROOK STREET

Request from Councilor Dennis DeNapoli that there be no parking on the even numbered side of Brook Street from Belmont Street one hundred (100) yards southerly.

Captain McCabe said that he looked up in the records and found that Brook Street should be posted on the east side from Belmont Street to Bartlett Street no parking. He believes that all that is needed is to replace what should have been there, as it was already posted. Ken Galligan asked if a motion would be needed to address the issue and Captain McCabe stated that this is a maintenance issue on an issue that had a previous vote. In order to avoid any confusion, it was decided to take a vote on this issue.

Upon motion duly made by Captain McCabe, seconded by Ken Galligan and a unanimous vote of the members present, it was

VOTED: To replace the “No Parking” signs on the east side of Brook Street from Belmont Street to Bartlett Street.

CARY STREET – BOSTON BASEMENT TECHNOLOGY

Request from Councilor Dennis DeNapoli that the Traffic Commission review the parking issues on Cary Street in the vicinity of Boston Basement Technology.

Councilor DeNapoli said that he has been requesting for the last 8 months, especially during the winter, that there is a bus stop on the corner of Ashfield Drive and the owner of Basement Technologies has not responded to the police or anyone else and parks his vehicles and blocks the sidewalks. People have to go around the trucks and the Councilor has not received any response from the police department so he put the item on the Traffic Commission agenda. Captain McCabe said that they can refer the matter to Subcommittee and review the area to see if they should post it no parking, but Councilor DeNapoli said that they are parking in their own driveway. There is a curb cut there and they are allowed to park their vehicles but the vehicles block the sidewalk because there is not enough room. He is in a building that is a major issue that it is not zoned correctly and there are major issues there. They haul gravel and the whole thing is a mess. All Councilor DeNapoli wants to do is keep the cars from blocking the sidewalk. Captain McCabe asked if he is looking for parking enforcement to go there. Councilor DeNapoli said that when the Subcommittee goes there, he will go.

Upon motion made by Captain McCabe, seconded by Paul Sullivan and a unanimous vote of the members present, it was

VOTED: To refer the matter to Subcommittee for review.

NEIGHBORHOOD WATCH SIGNS

Request from Officer Bill Healy to install Neighborhood Crime Watch signs at the following locations: Enterprise Street: two signs; #13 Rainville Street; #13 Pontiac Street; Ida Avenue at Court Street; Kathleen Road at Court Street.

Captain McCabe indicated that the signs were purchased by the Neighborhood Watch group.

Upon motion made by Captain McCabe, seconded by Ken Goldblatt and a unanimous vote of the member present, it was

**VOTED: To install Neighborhood Crime Watch signs at the following locations:
Enterprise Street: two signs;
#13 Rainville Street;
#13 Pontiac Street;
Ida Avenue at Court Street;
Kathleen Road at Court Street.**

LEAVITT STREET

Request from Councilor Tom Monahan to have “Caution – Children” signs placed on Leavitt Street.

Councilor Monahan indicated that he had a request from the residents at 65 Leavitt Street that there is a lot of speeding on that street and there are a lot of children in that area.

Upon motion made by Ken Goldblatt, seconded by Dennis DeNapoli and a unanimous vote of the member present, it was

VOTED: To refer the matter to Subcommittee for review.

MAIN STREET

Request from Captain McCabe to have the Commission review the parking restrictions on Main Street in the area of White Avenue. There are 15 minute signs, 30 minute signs and 1 hour signs all in the same area. Captain McCabe indicated that he and Ken Galligan were in that area and noticed that there are 3 different signs all grouped together and a determination needed to be made as to the proper signage for that area.

Upon motion made by Ken Goldblatt, seconded by Dennis DeNapoli and a unanimous vote of the member present, it was

VOTED: To refer the matter to Subcommittee for review.

ARLINGTON and WEST ELM STREET

Request from Captain McCabe to add a “No Parking Here to Corner” sign on Arlington Street twenty feet from the corner of West Elm Street.

Captain McCabe stated that there has been an issue with an attorney getting tickets for parking on the corner and there was a dispute as to where the corner begins: is it at the stop sign, at the curb, or where the street straightens out.

Upon motion made by Captain McCabe, seconded by Paul Sullivan and a unanimous vote of the member present, it was

VOTED: To refer the matter to Subcommittee for review.

On the motion, Paul Sullivan asked if they needed to have the Department of Public Works present for the Subcommittee review, and Ken Galligan responded that the Commission can arbitrarily determine where the “No Parking Here to Corner” sign should go.

HOWARD STREET at SPARK STREET

Request from Councilor DeNapoli:

The Howard Street Spark Street do not block intersection sign needs too be facing the east bound traffic not the north bound traffic on the interception.

Councilor DeNapoli stated that when you come out of Spark Street to take a left turn to go over the bridge, or a right turn to go towards Winter Street, there is a “Do Not Block Intersection” sign that faces you. Traffic coming over the bridge blocks the intersection every time the light is red and you cannot get out of Spark Street. He is requesting is to have the sign put on the other side. He does not think that the “Do Not Block Intersection” sign is necessary on Spark Street, it should be on the bridge sign. The light on the corner is “No turn on red” with a red arrow and the traffic is a mess there all the time.

Upon motion made by Councilor DeNapoli, seconded by Ken Goldblatt and a unanimous vote of the member present, it was

VOTED: To refer the matter to Subcommittee for review.

SHERMAN STREET

Request from Councilor DeNapoli:

No Parking on Sherman Street #20 is being blocked by the owner’s of the house across the street she called the police they told her to call me.

Councilor DeNapoli said that this home is owned by Mrs. Paxton, who is having issues with all of the neighbors. They have so many vehicles; the house across the street has probably 9 people living there and it is very congested. Councilor DeNapoli said that if the Commission will refer the matter to Subcommittee, he will go there to discuss the issue further with the neighbor.

Upon motion made by Councilor DeNapoli, seconded by Councilor Petti and a unanimous vote of the member present, it was

VOTED: To refer the matter to Subcommittee for review.

PERKINS STREET at MONTELLO STREET

Request from Councilor DeNapoli

The traffic light needs to be changed red & yellow 24 hours a day? Perkins and No Montello Street

Councilor DeNapoli said he knows this is a state highway, but could someone explain why the red-and-yellow works 24 hours a day. Ken Galligan said that this is an old mechanical control and that there are the same controls at Main and South Street, and on Warren Avenue. There was a plan to replace those two with the one at Main and Plain Street in a federal project, so there is no way with that mechanical clock that is in there that it can be shut off at a certain hour and turned on at a certain hour. The whole operating mechanism for that light would have to be changed and it would be thousands of dollars to do that, so the City was waiting until the state comes through with the plan for those 3 intersections. Captain McCabe indicated that this project is coming up shortly, within a year and a half.

Councilor DeNapoli said that there is no school here, so why does it still go red and yellow and Ken Galligan said that it was there for the Gilmore School, which is over the bridge.

Upon motion made by Councilor DeNapoli, seconded by Ken Goldblatt and a unanimous vote of the member present, it was

VOTED: To table this matter

500 SUMMER STREET

Request from Councilor Jass Stewart:

Janine Harkins of 500 Summer St. contacted me today. She's looking to have a guardrail placed in front of her home. The house has been hit by a car twice.

Councilor Stewart stated that he spoke with the resident of 500 Summer Street and she is on a corner and her house has been hit twice by cars and she is concerned about her property and also about the safety issue. She would like to have some kind of protection placed in that area.

Upon motion made by Paul Sullivan, seconded by Dennis DeNapoli and a unanimous vote of the member present, it was

VOTED: To refer the matter to Subcommittee for review.

Ken Galligan said as history on this location, if this is the house on Summer Street and Edson Street, the Commission has addressed this issue before and the recommendation was to have boulders placed on the property rather than a guardrail. Captain McCabe said

that guard rails are very expensive and in some ways the boulders are a better solution. Councilor Stewart asked whether the resident incurs the costs if a boulder is installed and Ken Galligan said that in the past arrangements have been made to have a boulder placed on the resident's property, not on city property, and then the homeowner can put flowers around it or dress it up, where a guardrail is just that.

CENTRE and CARY STREET TRAFFIC CONTROL SIGNALS (Tabled Item)

Status of installation of Opticom signals at this location; signals were to be installed during construction of the CVS. Request for update of status made to Attorney John Creedon.

Ken Galligan and Dennis DeNapoli stated that they were both involved with this issue originally. Ken Galligan said that the matter was before the Zoning Board to build a CVS on that corner and the Zoning Board requested that when the traffic signals were moved, that there is a policy in the city that Opticom signals are then installed. On the night of the hearing, Ken Galligan stated that Attorney Bob Creedon agreed that they would install the signals and they went to the state and the state gave them permission to install the Opticom unit to go into the state's traffic control unit. However, once it was installed it would be up to the City to maintain it, and everyone agreed. As the deadline came for the CVS to open, Attorney Creedon came to Ken Galligan as Fire Chief to see if he would allow the occupancy permit to be signed so that they could occupy the CVS and he assured him that the traffic lights would be done. Captain McCabe asked if the zoning board minutes for that meeting would be available and was told that they are available.

Upon motion duly made by Captain McCabe, seconded by Councilor DeNapoli and a unanimous vote of the members present, it was

VOTED: To send an additional letter to Attorney Creedon regarding the status of the Opticom traffic signals at Centre and Cary Streets.

Councilor DeNapoli informed the Commission members that Sterling Road and the road behind Christo's have been done over, and there are a lot of trucks coming through the neighborhood; all kinds of vehicles are cutting through. The neighbors informed him that on the corner of Sterling Road and Centre Street there was a sign posted "Heavy Trucks Excluded"; it was an old sign and did not say the tonnage. The neighbors would like that sign to be put back up at this time. Councilor DeNapoli asked if there would be records in the archives that there was a sign there in the past, and Captain McCabe stated that he remembers there being a sign there so he believes it is a maintenance issue to have the sign put back up. The Commission members were agreeable with the sign being reinstalled. Captain McCabe said that he will install the signs with the weight because there are a lot of commercial vehicles that are pickup trucks, and that would be the only difference.

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

VOTED: To adjourn.

Respectfully submitted,
Patricia Florio
Secretary to the Traffic Commission