



BROCKTON TRAFFIC COMMISSION
Minutes of the Meeting
February 28, 2013

The Traffic Commission held its monthly meeting at 7:00 p.m. on Thursday, February 28, 2013, at the Brockton Police Station, 7 Commercial Street, Brockton, MA 02302. There being a proper quorum, the meeting was called to order by Captain Stephen Williamson. Members present were: Kenneth Goldblatt, Kenneth Galligan, Councilor Dennis DeNapoli, Paul Sullivan and Fire Chief Richard Francis. Also present was City Councilor Michelle Dubois and residents Kathy Mullen, Carolyn Gray, Elayne Agganis, Mark Sweeney, Milagros Marrero, Virginia Margeson, Virginia Hopgood, and John Margeson.

Upon motion made by Ken Goldblatt, seconded by Paul Sullivan and a unanimous vote of all members present, it was voted to waive reading and accept the January minutes.

EAST ASHLAND STREET and BISHOP STREET

Request from Traffic Commission member Paul Sullivan to have restricted parking at the intersection of East Ashland Street and Bishop Street.

Captain Williamson stated that this is a bus stop and frequently cars park right to the corner. The Subcommittee viewed the area and recommended that two "No Parking" signs be placed near the corner on Bishop Street at East Ashland Street: one sign "No Parking Here to Corner" on the northbound side of Bishop Street and would restrict parking between the driveway at 451 East Ashland Street and the corner at East Ashland Street; one sign on the southbound sign "No Parking Corner to Here" the same distance from the intersection of East Ashland Street and Bishop Street.

Upon motion duly made by Ken Galligan, seconded by Councilor Dennis DeNapoli and a unanimous vote of the members present, it was

VOTED: To restrict parking by placing the following signs:

- 1. One sign "No Parking Here to Corner" on the northbound side of Bishop Street between the driveway at 451 East Ashland Street (driveway is on Bishop Street) and the corner of East Ashland Street; and**
- 2. One sign "No Parking Corner to Here" on Bishop Street the same distance from the intersection with East Ashland Street.**

LOOKOFF STREET

Request by Captain Williamson to reduce the speed limit on Lookoff Street to 20 mph as he received a complaint from a neighbor about speeding. Lookoff Street is a narrow dead end off of Crescent Street. There are addresses on the street that do tend to get a number of visitors and a 30 MPH speed limit seems excessive for that neighborhood.

Captain Williamson stated that the Subcommittee viewed the area and did not find too much traffic on the street. The recommendation was to take no action at this time.

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

VOTED: To take no action on this matter.

PLEASANT STREET and ROCKLAND STREET

Request from Captain Williamson to review the vote to place a “No Parking Here to Corner” sign on the southeast corner as there is a DigSafe issue.

Captain Williamson stated that this was before the Traffic Commission earlier but there was a DigSafe issue and at the last meeting it was voted to wait to hear back from Commissioner Thoreson as to the results of his inquiry as to what the DigSafe issue was. Commissioner Thoreson was unable to attend this meeting and as a result the decision was made to postpone the matter to the next meeting.

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

VOTED: To continue the matter to the next month’s meeting.

MULBERRY STREET

Request from Councilor Michelle Dubois and Councilor Dennis DeNapoli requesting resident only parking on Mulberry Street.

Captain Williamson stated that this appears to be an issue with the business on Elliot Street. Councilor Dubois stated that since the city allowed the license for this business to be rejuvenated about 4 or 5 years ago, she has been opposed to it. When it got issued, she worked with the first owner and he broke the rules, but after a while parked the cars inside his property. He has since changed who owns the license and operates the shop to a different individual who has been parking cars all up and down Mulberry Street and you can only park on one side of the street so it is very difficult for the people who live there. Cars can be parked there weeks on end, just sitting there. Mr. Margeson said that if you leave your spot to even run to the corner store then when you come back they will have taken the spot and you have nowhere to park. He said the business has so many cars that they are always up and down the street. Councilor Dubois said it is a license issue as well and she has had Officer Scott Uhlman go over to the property to talk to them and she has also talked to the owner of the property and given Officer Uhlman the owner’s cellphone number. Officer Uhlman has indicated to the owner, Martin Gomes, that they will bring the license before the City Council to revoke it if the person operating the business does not get the business in order; since that time, about 3 weeks ago, it has been a little bit better but this is a residential street and they are utilizing the street for their business and it doesn’t seem right.

Captain Williamson questioned whether the request is for resident parking only on Mulberry Street or is Elliot Street part of the request also. Councilor Dubois said that it is for Mulberry Street. One of the neighbors stated that at the end of Mulberry Street there is a house that does not have a driveway so they park in the street and receive numerous tickets for parking near the corner; he is actually moving because he has nowhere to park and the reason he has nowhere to park is because of this business. One of the neighbors said that during the last snow emergency the business parked a Blazer there and left it there during the parking ban. Councilor Dubois said the location is problematic and is very poorly zoned and the business should probably have never been allowed to be opened again and the residents are dealing

with the consequences. Captain Williamson said that recently when they have done resident parking they have not issued stickers but have put up signs. Patricia Florio indicated that the signs are placed and then the patrol officers use their computers to check the registrations of the cars parked on the street. Captain Williamson said that if the car is not registered to that street address they will be ticketed. Councilor Dubois said that with the restricted parking in the Intervale Street area the Commission issued permits to place in the car window so that if someone was sick and needed regular visits from family members or hospice they would be able to get a permit also and she wondered when the policy changed. Patricia Florio stated that the policy did not change but that the Intervale/Arthur/Bellevue area is the only area that permits have ever been issued and that was back in 2009 and then the time was extended. For all other areas the signs have been placed and the police check the registrations. Councilor Dubois said she did not think that was fair and was not how it is done in Boston and Captain Williamson said that with the stickers it is hard because the stickers have to be renewed and people move and with the technology changes it makes it easier with the computer checks on registrations. Chief Francis said that he was also thinking about family members wanting to visit and Captain Williamson said that is the problem, it is difficult to distinguish because the whole idea is to get cars that do not belong there out of there and it is hard to come up with a rule that all of the officers can enforce. Patricia Florio said that even with the permits the registration is put on the permit so it isn't as if you can pass it around to anyone else to use. Captain Williamson said that if the resident parking is the route that they want to go then he would recommend that if residents have a driveway then they would have to plan on the resident parking on the street and leaving the driveway for their guests. A lot of time with the resident parking, it is complaint driven and if the police receive a call they will respond. Mr. Margeson said that was his concern also, because when someone speaks with the business the parking issue slows down and then a month goes by and they are back parking again. This has been going on for 6 years. One resident said that it isn't that they don't want them allowed to park on the street at all; it's the cars that they leave there that they are working on that cause the problem. Councilor Dubois said that the license requires a number of parking spaces within their lot, and they have spaces within their building, and spaces within the lot; they are operating outside of their permit on multiple facets and this is just one of them. Ken Goldblatt asked why the issue is not being presented to the licensing board and Councilor DeNapoli said that his recommendation is that he and Councilor Dubois bring the license holder before the City Council for a hearing. Councilor Dubois said that she would like it if the Traffic Commission would go forward with reviewing the idea of resident parking on that street, and also she will bring the issue before the City Council for any type of permit violations. One resident stated that there are now two shops operating there; with one shop there they had plenty of room but now they have rented out the other part. Councilor DeNapoli stated that they are doing that illegally and that has already been addressed.

Captain Williamson asked if they were looking for the entire length of Mulberry Street to have resident parking or just a portion and Councilor Dubois said that she thought the half of Mulberry Street from East Ashland Street to Elliot Street. One resident said that she lives on the Elliot Street end, and that from that corner to where the factory is needs to be restricted. Ken Galligan said that another way of looking at this is similar to the restricted parking in the Field Street area where they created a resident parking situation from 7:00 a.m. until 6:00 p.m. and that took away the people parking for the commuter rail but after that timeframe the parking is not restricted. In that way, if the residents have people coming to visit there isn't a parking problem for them. Councilor Dubois thought that might be an excellent solution. Ken Galligan was also concerned about the residents on the other end of Mulberry Street who do not have a problem, and now all of a sudden the parking is restricted to residents and they did not ask for it. Ken Galligan also said that where the Traffic Commission members understand the problem it might be helpful to go the route of the license violations, and also let the Traffic Commission members take a look at the area to make sure that what action is taken does not cause more problems. He road through the area and believes that there is no parking allowed on the west side of Mulberry Street, and also that there is no parking

allowed opposite the old Sullivan Tire building, so there is a section of Mulberry Street already posted no parking on both sides of the street, and maybe what should be looked at is the area from Mulberry Street up to where the no parking signs are now, and leave the north end of the street undisturbed. Ken Galligan asked what the residents thought of the idea of resident parking only during daylight hours, and then let anyone park there after 6:00 or 7:00 p.m. Mr. Margeson stated that this would allow the business to put their cars there when they take them out of the shop, so it would not work. Councilor DeNapoli said that he believes in the business license the business operator is not allowed to park vehicles on the street and Councilor Dubois agreed, so they are violating the license. Ken Galligan said that their whole livelihood is hinging on the license and the residents said that they do not want to see them lose their business, just to stop parking in front of their houses. Councilor DeNapoli said that it is all about being a good neighbor and that he will pay the business a visit to discuss the issue with him. Chief Francis asked how many places go with this license and Councilor DeNapoli said that Mr. Gomes owns the building and he rents it out; Councilor Dubois said that the license was given to two different people, two licenses in operation: one is an auto body and one is a mechanic.

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

VOTED: To refer the matter to Subcommittee for review.

WEST CHESTNUT STREET

Request by Captain Williamson on behalf of Crime Watch coordinator Officer William Healy and neighbors, to have two Neighborhood Watch signs affixed on West Chestnut Street between Ash Street and Southworth Street in each direction. The signs to be purchased by the neighbors.

Upon motion duly made by Ken Galligan, seconded by Councilor Dennis DeNapoli and a unanimous vote of the members present, it was

VOTED: To approve the placing of two signs at the direction of Captain Williamson.

NORTH QUINCY and NORTH CARY STREET

Request from Councilor Michelle Dubois for a review of the need for more traffic signals, signage and guardrails in front of certain residences at the intersection of North Quincy Street and North Cary Street due to the number of motor vehicle accidents and property damage.

Councilor Michelle Dubois stated that this is the fourth or fifth time that this matter has come before the Traffic Commission since she has been a city councilor and it is an ongoing problem at this intersection, with a lot of accidents with people coming from the V.F.W.; people take that turn and go careening into peoples' properties. There are some areas where guardrails are in place; at prior meetings the Commission said that they would be placing boulders in front of some residents' houses and that has never happened. Mark Sweeney of 484 North Quincy Street provided informational packets to the members and stated that the photographs provided were all taken within the last 3 ½ years and there have been two major accidents after the signs went in. His wife's car was totaled right in their driveway and new neighbors have also had their car totaled less than one month ago. Both accidents were hit-and-run and he knows that there is not too much that can be done: he does not want a guardrail in front of his property and he does not even know if the police can do much, but it is a bad turn and no one seems to slow down for it, whether at 2:00 a.m. or 1:00 p.m. With the photographs he provided, he says at least some of the drivers were drunk. Captain Williamson stated that this was an issue before and he does not think that more signs will fix the problem; Councilor Dubois said that boulders, police presence and

giving out tickets will help and ultimately the only solution that will make a real difference is a light, and I know that a lot of people in that area do not want a light so they would have to decide whether they wanted one or not. If the residents would like boulders, she thinks the city should place them and the city should make an effort to have more traffic control in that area and maybe a sting at the V.F.W. Elayne Agganis stated that the boulders in front of her property have been pushed aside, and split and just recently the plows have damaged her property as well. She said that some of the residents could not make the meeting, but they have tire tracks on their lawns also; the incidents that are not reported the police do not know about but the residents still suffer the consequences. She has a tree that is dead because it has been smashed into so many times; Mark Sweeney said that he has a birch tree in his front yard that is dead also from an accident in 2007. Ms. Agganis stated that Councilor Dubois was going to talk to the condo builder behind them and Councilor Dubois said that he had contacted them and they said that they would work with Commissioner Thoreson and then nothing happened. She stated that right now there are about five properties in Ward 6 where the city said they would place boulders and none have ever been placed. Ken Goldblatt commented that boulders have to be available to place on the properties and Councilor Dubois said that there are boulders at D.W. Field Park, or boulders at the condo property, and Ken Goldblatt said that the city would not take boulders from D.W. Field Park. Councilor Dubois said that she had spoken with the owner of the property where the condos are being built and he did say that the city could come and get as many boulders as they wanted off that property, and then it did not happen. She said that she will now be contacting the City Solicitor's office to write another letter stating that the city does not want to put up guardrails and there was some discussion as to whether that letter referred to guardrails or boulder placement. Ken Goldblatt also stated that the problem with guardrails is that they are incredibly expensive. Councilor Dubois said that it comes down to what is the expense to someone's property and house. Milagros Marrero stated she has children and her car was just totaled on February 5, 2013 and if it wasn't for her vehicle being parked there, the car would have come right into her kitchen. She has nothing to protect her house and she is very concerned. Her car is totaled and because it is a hit-and-run she has to fight with her insurance company for coverage. Ken Galligan asked if there is a common time that these occurrences happen and the residents stated that it is mostly at night, between 10:00 p.m. and 1:00 a.m. and most of the cars come from the direction of the V.F.W. It is a popular street and well traveled. The residents stated that there are also accidents there in the middle of the afternoon. Captain Williamson stated that they are aware that it is a dangerous area with the bend in the road and that it is usually operator error. Councilor Dubois said that the problem is only going to get worse when they develop those 100 units of housing at the end of Pratt Street. Ken Galligan stated that the cars trying to get out of Loring Street will make a problem also. Councilor Dubois said that she would love a traffic light there, but residents in the area have been opposed to a traffic light. She believes that a traffic light would at least be of some help, and she would like the Traffic Commission to look into the possibility of placing a traffic light there. Ken Galligan stated that well over a year ago the Traffic Commission voted to place some boulders in that area and his recollection is that contact was made with the developer who was building at the end of Loring Street and he said he had the boulders and that he would donate them and then that concluded the discussion on that issue. Patricia Florio said that she has a list of about five residents requesting boulder placement and D.P.W. was going to notify her when they had boulders available and she would give them the addresses. Ken Galligan asked what the issue was with the boulders with the Law Department and Patricia Florio stated that the letter to which Councilor Dubois referred was regarding the liability issue if the city provides and places the boulders, and that the assistant city solicitor had recommended that the residents should sign a waiver stating that they requested the boulders and would hold the city harmless in the event there were any incidents. It was not a negative response, so much as outlining what steps needed to be taken to protect the city should the boulders be placed by the city on the properties. The list was made and it was determined that when boulders became available it was under the purview of the Department of Public Works to get the boulders and place them. Ken Galligan asked if anyone had signed any waivers and was informed that none have been signed

because no boulders have been scheduled to be placed anywhere. Ken Galligan asked if everything was in place and was informed that should the Department of Public Works have boulders available, and had the personnel and equipment needed to place it, there is a waiver that could be signed. One of the residents asked what the liability was and Councilor DeNapoli stated that if someone hit the boulder and got hurt that individual might either sue the resident or file a claim with the resident's homeowner's insurance policy. Councilor Dennis DeNapoli stated that the boulders would be placed on the resident's property and would not be on city property and he suggested that the speed limit should be lowered at the curve to twenty (20) miles per hour and put signs up. The residents said that the speed limit was already thirty (30) miles per hour and they did not feel that would make a difference. Captain Williamson said that they do as much traffic and speed enforcement on that street as any street in the city.

Councilor Dubois asked whether any of the residents present wanted a guardrail and they replied that they did not; she asked whether any residents wanted boulders and some said yes. The locations where residents said they would like boulders are: 478 North Quincy Street and 484 North Quincy Street. Councilor Dubois said she would check on Florence's address. Councilor Dubois asked if the Traffic Commission would take under advisement to place the boulders at the properties to make it official and then send out release documents to the individuals and then it would be up to the individuals to return the release documents to Patty and then she could send them to the Department of Public Works stating that these locations have been approved for placement of the boulders and then it is totally up to the Department of Public Works. Her second suggestion is just putting up guardrails again, and she does not understand why the city is against this public safety issue; the residents pay taxes and are feeling unsafe in their property and feel that their property value is decreased and these are the prototypical people the city should be helping. Ken Galligan stated that one of the reasons that the Commission has gone with the boulders over the years is the cost; and that if the boulders are available and the Department of Public Works is available then it is an easy fix and most people would rather put boulders because you can landscape around them and they look nicer than a guardrail. Also a guardrail is very expensive per foot and if guardrails are going to be put everywhere that people want them, then something has to be done with the Traffic Commission budget to allow purchase of the guardrails. One of the residents said that guardrails show problems too, and that when they get hit they look terrible. Chief Francis said that traffic lights are nice, but again his budget does not have the money to install them. Councilor Dubois asked what the process would be to install a traffic light there and one of the residents asked about placing a stop sign coming from the direction of the V.F.W. Councilor DeNapoli suggested making it a two-way stop at that curve and make everybody stop. Ken Galligan stated that it is not legal to put up stop signs for speeding but it is for accidents and this location appears to fit that standard. Councilor Dubois liked the idea of a two-way stop sign and thought it would be a good solution and a great community improvement for the neighborhood. Captain Williamson asked that it be clarified where a stop sign was requested, and it was stated that it would be at the intersection of North Cary and North Quincy Streets; there is already a stop sign at the end of North Cary Street and this would be to add one north and south on North Quincy Street. Councilor DeNapoli stated that the flashing light might be changed from flashing yellow to flashing red. Ken Galligan stated that the street was put in under state funds so the state D.P.W. may have some say as to what goes in on that street and may supersede us as to whether a stop sign can be installed. Councilor Dubois asked at what point the state delegation should participate in this. A resident suggested making it one way from North Cary Street to Toby Road and another resident said that would eliminate the need for people coming out of North Cary onto North Quincy Street, you could make Toby Road a two-way street for the people wanting to come down onto North Quincy and coming southbound you could make that section of North Cary Street a one-way. Ken Galligan said that as a fire chief his reaction would be no as Engine 7 has to come out of there. Paul Sullivan stated that if anyone sees a construction site with big boulders to notify the D.P.W.

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

VOTED: (1) To reaffirm the Traffic Commission's commitment to support the placing of boulders in the area of North Quincy, Loring and North Cary Streets by the D.P.W. and (2) To refer the matter to Subcommittee for review and investigate further the possibility of speed control relative to stop signs.

A resident had a question on the boulders when approved, as to who gets to decide where to put them and was informed by Councilor DeNapoli that the Subcommittee would go out and the resident could decide where they wanted it placed.

There being no further business to come before the members, upon motion duly made by Paul Sullivan, seconded by Ken Goldblatt and a unanimous vote of the members present, it was

VOTED: To adjourn.

Respectfully submitted,
Patricia Florio
Secretary to the Traffic Commission