



Public Safety & Transportation Committee Report

City of Newton In City Council

Wednesday, June 7, 2023

Present: Councilors Markiewicz (Vice-Chair), Lipof, Oliver, Lucas, Malakie, Bowman and Grossman

Absent: Councilor Downs (Chair)

Also present: Councilor Kalis

City staff: Sergeant Michael Wade, Newton Police Department; Chief Greg Gentile and Assistant Chief Mike Bianchi, Newton Fire Department; Isaac Prizant, Traffic Engineer and David Koses, Transportation Coordinator

Others present: NewTV

For more information regarding this meeting, a video recording can be found at the following link: <https://newtv.org/recent-video/107-committee-meetings-and-public-hearings/8112-public-safety-transportation-june-7-2023>

#150-23 Semi-annual public auto inspections

POLICE DEPARTMENT submitting reports of semi-annual public auto inspections for review.

Action: Public Safety & Transportation Approved 6-0, Councilor Grossman not voting

Note: Sergeant Wade joined the Committee for discussion.

Sergeant Wade stated that all seven vehicles were inspected and passed inspection in May 2023, this was attached to the agenda. Mindful Livery, LLC. no longer desires a license.

Committee members questions and answers:

Are there any outstanding tickets, fines or complaints against any of these companies? Sergeant Wade answered no.

Without further discussion, Councilor Bowman made a motion to approve this item. Committee members agreed 6-0, Councilor Grossman not voting.

Referred to Public Safety & Transportation and Finance Committees

#220-23

Request authorization for \$300,000 to replace Fire Emergency Response Unit
HER HONOR THE MAYOR requesting authorization to appropriate and expend three hundred thousand dollars (\$300,000) from Certified Free Cash to Acct #0121026-58010 Automobiles & Light Trucks to replace the Fire Department's 1989 Emergency Response Unit (ERU).

Action: **Public Safety & Transportation Approved 6-0, Councilor Grossman not voting**

Note: Chief Gentile and Assistant Chief Bianchi joined the Committee for discussion.

Chief Gentile stated that the appropriation is to replace a 1989 Emergency Response Unit (ERU). The ERU is not a staffed vehicle and does not go out every day. It is a vehicle that brings equipment and supplies to emergencies. The current ERU is a 1989 Coca Cola delivery truck, which has gone beyond a point where mechanics feel uncomfortable it be kept on the road.

The ERU truck was originally scheduled for replacement in FY21. The pandemic came, and we looked at areas where we could help out and believed we could keep this piece of apparatus on the road for a bit longer. It is now scheduled to be replaced in FY26 but we're requesting that it be replaced now.

Committee members questions and answers:

Are we vulnerable if we had a major incident and needed to use this truck, is there a chance that we actually could have a failure? Chief Gentile answered that the mechanics have worked to ensure this this piece of equipment is ready to go. I have the utmost confidence we're not in any jeopardy right now.

Has the department recently replaced another apparatus? Chief Gentile answered that funding was approved to replace engine seven.

Where is the ERU truck housed? Chief Gentile answered at Station 3 Head Quarters.

What will happen to the 1989 truck? Chief Gentile answered that he does not think there will be a great demand for the truck and will ask the dealer if we can get something for it, or it will go out to bid within the city.

Will this be a new vehicle? Chief Gentile answered yes, a 20 foot box truck capable of carrying 17,000 pounds of equipment and supplies. The truck will be fitted with lights, sirens, radios, and a storage system. A highly customized piece of equipment.

Without further discussion, Councilor Oliver made a motion to approve this appropriation. Committee members agreed 6-0, Councilor Grossman not voting.

#131-23 Request for discussion on EV battery fires with the Fire Chief
COUNCILORS MALAKIE, LUCAS, AND KALIS requesting a discussion with the Fire Chief about the Department's current methods and ability to respond to EV and electric bike lithium-ion battery fires, and possible measures to mitigate risk of damage to structures.

Action: Public Safety & Transportation No Action Necessary 6-0, Councilor Grossman not voting

Note: Chief Gentile and Assistant Chief Bianchi joined the Committee for discussion.

Councilor Malakie introduced the item. She stated that she has been reading about EV and E Bike fires, a large problem in New York City with many delivery drivers and E Bikes. Due to the high mileage, replacement batteries are part of the problem. It seems like a rare occurrence but difficult to manage when it does happen.

Councilor Malakie asked Chief Gentile to address the following:

What is the best way to make EV charging stations safe in apartment buildings?

What is the technique to fight these fires?

What would happen if a fire occurred today?

Does the city have the techniques or equipment available to fight these fires?

How much experience do firefighters have in training?

Is there anything we could do in terms of annual or semi-annual inspections to ensure E Bike batteries are certified?

Chief Gentile explained that lithium-ion batteries are very safe. The manufacturers do a tremendous job with UL lithium-ion batteries. Lithium-ion batteries are as safe as any household product. In New York, they are seeing problems with aftermarket chargers and batteries, approximately 25% of the cost of a UL listed new battery. Aftermarket batteries are prone to failure with a 3% failure rate, which isn't that high. Failures don't necessarily lead to a fire, you're at under 1% failure rate for a UL listed battery. Newton Fire Prevention has been working on a flyer similar to what New York Fire Department completed alerting people to know the hazards of when you have a lithium-ion battery which can be dangerous if you begin charging with a charger that is not UL listed.

EVs use the same technology as E bikes, a lithium-ion battery. Newer hybrids use lithium-ion batteries. Using large amounts of water is the best suppressing agent used as close to the battery as possible. Foam does not suppress lithium-ion battery fires. No dry chemicals are used to fight these fires. When you heat a lithium-ion battery, it makes more energy. As it makes more energy, it gets hotter. As it gets hotter, it makes more energy a term we call thermal runaway because it can't dissipate the heat until it reaches the point of combustion. If you have a failure with a lithium-ion cell it overheats heating the surrounding cells. In a lithium-

ion battery fire we cool with water. We cool the battery to a point where the other cells in the battery are not catching fire.

EV and E bikes are a real concern for the department. Fire Services has been proactive and are conducting research. UL has a branch dedicated to fighting lithium-ion battery fires, what kind of toxic gases are being produced and what are the best ways to prevent the fires. We will see the usage of Lithium-ion batteries increase and grow.

Regarding firefighter safety and safety of occupants, we've been working with ISD extensively to ensure that any ESS system is inspected, and the department is notified of their location.

Regarding the charging stations in garages, if there's a fire unrelated to lithium-ion batteries but those become part of the fire thermal runaway will happen quickly due to the heating factor and that is also a concern.

Committee members questions, answers and comments:

Will fire extinguishers work on fighting lithium-ion batteries? Chief Gentile answered no, dry chemical and CO2 fire extinguishers will put the visible fire out but will not stop the thermal runaway effect. They do not have the cooling properties that water does.

Are fire codes for sprinkler requirements set at the state level? Chief Gentile answered yes.

Representative Balsler has proposed a Bill allowing communities to opt in to sprinkler requirements in one and two unit buildings. Perhaps we should support the Bill allowing communities to opt in for sprinklers in a garage that they also be required or suggested to have a sprinkler. Councilor Bowman offered to draft a letter supporting Representative Balsler Bill allowing Newton to opt in.

The creation of a flyer for E bikes is great, please consider sharing the flyer with Bike Newton and other advocates to help spread the word and how to buy and keep E bikes safe.

In New York, one of their measures was banning the sale of aftermarket batteries.

What types of sprinkler requirements are there for underground garages in multi-unit buildings? Chief Gentile answered that they are required to have a dry sprinkler system, where the temperatures might not be regulated to have a wet system. The challenges where the batteries are stored in the EV is that they are underneath the body of the vehicle. We are training on techniques to lift the vehicle up in order to get the water as close to the seat of the fire. It would be helpful to have a sprinkler system when there's a garage fire with an EV. An EV fire in a garage will be an event for us and quite a challenge trying to keep the fire contained to that one EV and trying to prevent the fire from spreading to other vehicles. Lithium-ion batteries produce toxic smoke and chemicals.

What is a dry sprinkler system in garages? Chief Gentile answered that the dry sprinkler system has no waiting water in the pipes, it waits to be activated.

Are changes being considered at the state level in terms of fire suppression situations with sprinklers going off from underneath? Chief Gentile answered that he has not heard of this.

Regarding toxic gases and cadmium being potentially career ending. Does the department have the proper equipment to prevent the inhalation of gases? Chief Gentile answered that firefighters use self-contained breathing apparatus (SCBA) for protection. We are trained regularly on the use of SCBA for any fire. We're using SCBA because we know the hazards both long and short term of breathing in poisons that catch fire.

Is there any firsthand experience in the department on working on these types of fires? Chief Gentile answered we've had some lithium-ion batteries catch fire, without major incidents. We haven't had any EV fires to date. Lithium-ion batteries are still a pretty safe piece of equipment.

Without further discussion, Councilor Lucas made a motion for no action necessary. Committee members agreed 6-0, Councilor Grossman not voting.

#147-23 Appeal of Traffic Council Decision TC5-23

JEREMY FREUDBERG, 102 Clark Street, appealing the approval of Traffic Council petition TC5-23 on April 12, 2023, for a stop sign on the traffic island at the northwest corner of the Clark Street and Rowena Road intersection (Clark Street southbound). (Ward 6)

Action: **Public Safety & Transportation Denied 4-3, Councilors Lucas, Oliver and Malakie opposed**

Note: Isaac Prizant, Traffic Engineer; David Koses, Transportation Coordinator and Jeremy Freudberg, petitioner joined the Committee for discussion.

Mr. Koses provided Committee members with a PowerPoint presentation, attached.

Mr. Koses stated that Clark Street and Rowena Road are like two "T" intersections, but it is not two "T" intersections with a large open space and wide intersection. There's one stop sign right at the end of Rowena Road. One of the major questions we struggled with is determining who has the right of way. When traveling down, Clark Street, do you have the right of way or do drivers coming up Clark Street, have the right of way?

There are no sidewalks or curb cuts, pedestrians are walking in the street and cars are not exactly defined where they're supposed to be in this wide intersection. There has been zero reported crashes at this location.

Traffic Engineers look at the Manual of Uniform Traffic Control Devices (MUTCD) for guidance in terms of how to evaluate intersections. In this case, the MUTCD states that we should be relying on engineering judgment. The couple of complaints came in around the same time Feeney Brothers Utility Services were working at this location which may have caused atypical driver maneuvering in this area. DPW heard from two residents in the area requesting us to consider installing a stop sign on the traffic island at the northwest corner of the Clark Street and Rowena Road intersection (Clark Street southbound). DPW reviewed the area and decided to docket an item for Traffic Council's consideration. It's not required to put a stop sign, but a stop sign could be installed. We wanted to clarify the right of way and make the intersection safer for pedestrians, cyclists and motorists.

Mr. Koses explained that he voted to approve the stop sign in Traffic Council because he thought a stop sign would be helpful, especially in this wide intersection, no sidewalks and with people walking on the street. Traffic Council could not approve a reconstruction of the whole intersection only consideration of installing a stop sign. I believe it would not make the intersection more confusing, and it would not make it less safe. A stop sign would help clarify who has the right of way for multiple vehicles arriving at the intersection at the same time.

Mr. Prizant addressed and responded to comments received subsequent to Traffic Council vote from Mr. Freudberg. Mr. Prizant responses are in the same PowerPoint.

Mr. Prizant stated that DPW's perspective is that a stop sign is an incremental safety measure.

Mr. Freudberg stated that he is an advocate for safety on our roads. This is a unique intersection with lots of pavement with oblique angles and unconventional street naming patterns. I understand the temptation to improve the intersection and recognize there are ways to improve it, which I talked about in my letter. It remains unclear on what problem the stop sign is actually meant to solve. I understand the point about right of way, but there are general right of way rules about traffic. Based on my observations that has consistently happened, and that's borne out by the lack of any crash history. In my letter, I mention low speeds and good visibility especially for pedestrians. In my experience, you can look up the hill on Rowena Road as you're coming in, which does help. The speed humps are set somewhat far back but help which explains the lack of crash history and the lack of any problems. The double-yellow center line is not a traffic control device but makes you aware you are approaching something. The stop sign may help but it's unnecessary based on the fact that we haven't had any incident. I understand the temptation to do something, but let's do the real thing, which is to reconstruct the intersection and add sidewalks and crosswalks. There is still potential for advisory signs that would clarify the right of way. But again, the right of way is already assigned by the general right of way rules. There's lots of other modest and significant improvements that can be made. The stop sign is totally disconnected from those.

Public Comment:

Greg Versmee, 12 Clark Street, stated that he requested this stop sign to raise awareness about the danger of the intersection. The danger is not car crashes, the danger is for pedestrians. The demographics are unusual, because you have older people requiring a walker and young children requiring pedestrian safety. The daycare center uses the intersection every day making them walk in the street to be able to cross the intersection. There should be ways for pedestrians to cross safely. Drivers have the tendency to drive fast, especially at night and in the winter time. The intersection is very dangerous for children. I understand the concern that there hasn't been any crashes, but I'm not sure if the neighborhood demographics was the same a few decades ago. It is necessary to do something; but I don't know if a stop sign is going to solve the problem. There should be sidewalks, stop signs and crosswalks to stop cars and allow pedestrians to safely cross. The stop sign would be a first step. I agree the intersection should be revisited and improved.

Committee members questions, answers and comments:

Can we paint a crosswalk without sidewalks? Mr. Prizant answered no, we all agree that a larger reconstruction project is necessary. We are an old city, and have a number of signalized intersections that leave a lot to be desired, as far as following the best engineering practices. This location is on our list for evaluations with fierce competition for funding. The stop sign is a small incremental step. The City has been conducting a city wide sidewalk inventory with some consultant assistance that is in the beginning stages. We are hopeful the lists will be published soon which will help us prioritize the list. Vice-Chair Markiewicz added that there's a limited amount of funds set aside for traffic calming and improvements.

Vice-Chair Markiewicz explained to Committee members the four possible actions the Committee could take. 1) Approve the appeal. 2) Approve the appeal as amended. 3) Deny the appeal, upholding Traffic Council's decision or 4) Remand to Traffic Council for further review. He then asked Councilors to state their preference when they are commenting.

Zero crashes and low traffic volume could change at any point. Anything we can do, to make the intersection safer is necessary especially because Clark Street is a good connection for bikers. I would prefer the installation of a four-way stop sign. I support denying the appeal, upholding Traffic Council's decision.

Did Traffic Council do a site visit prior to the appeal meeting with Mr. Freudberg and Mr. Versmee? Mr. Prizant answered he met with Mr. Freudberg prior to the Traffic Council meeting. Mr. Koses added that for every Traffic Council item, we do multiple site visits, including this one.

Cars traveling from Route Nine, Clark Street you want those cars to be able to see the stop sign. Will drivers be able to see the sight lines? Mr. Prizant answered that vehicles coming from Route Nine, heading westbound will maintain free flow. It's not so much of an issue of them seeing a stop sign or not. We believe drivers should adhere to a stop sign. Under the current conditions, it's critical that they have good sight lines to one another, because they need make

a judgment call based on existing right away law. We went through an exercise to identify that there's a tree making those sight lines borderline. If you introduce a stop sign, that decision point is no longer farther up along that northern leg of the road where that tree may be blocking sight lines. Your decision point as a southbound driver is now much closer to the intersection.

Who writes the MUTCD guidelines? Mr. Prizant answered the Federal Highway.

If a stop sign is so important to this intersection, what took so long to get it docketed for Traffic Councils consideration? Mr. Prizant answered no particular reason. Two complaints were received catching my attention because those concerns specifically came to me.

I met with Mr. Freudberg and Mr. Versmee on site, they both have different opinions. I observed multiple cars approaching the intersection at the same time, and they all stopped or slowed down because it's an awkward intersection. I don't see how a stop sign would improve the intersection considering that there has never been a crash. This intersection should be improved large scale, not small scale with traffic calming measures and sidewalks. I support approving the appeal.

If you traveled through the intersection before, you do slow down because there should be a stop sign. Drivers who don't go through there often, may not stop. There haven't been any crashes, but I agree with Mr. Versmee about his concerns and a stop sign is necessary. People want stop signs and at times are informed that a stop sign does not meet the warrants. It's interesting that when we do make something safer, somebody comes along and wants to take it away. I would say to err on caution side, to put faith in our traffic engineers that feel that this is a good thing to do. It is necessary to make this intersection safer. I support a full redesign. I support denying the appeals, upholding Traffic Council's decision.

Would the stop sign be attached to the telephone pole? Mr. Prizant answered yes.

In my opinion, the proposed stop sign is too far forward, it should be further back towards the curb edge on Clark Street (approximately 20 feet) because you're looking 90 degrees towards Rowena Road losing sight lines. Perhaps there have been no accidents because drivers and pedestrians are familiar with the intersection or it's a natural reaction to come into this type of intersection slowly. I support redesigning the geometry. I support amending the appeal.

Is it possible to move the proposed stop sign further back towards the curb edge approximately 20 feet? Mr. Prizant answered that the proposed location is closer to where the ideal decision point is made where their sight line is optimized. I agree that the angle that Rowena Road comes in makes it atypical intersection. If the goal is to ensure the southbound approaching vehicles are making a safe optimized decision I would prefer to leave it at the proposed location, but we could review.

Vice-Chair Markiewicz asked Committee members if they could support amending the appeal by a show of hands to determine if they are interested in pursuing the amendment of placing the stop sign closer to Centre Street. One Councilor supported the amendment.

On my site visit, I did not observe people walking in the street. Where are the people walking in the street and why aren't they walking on the sidewalk? Mr. Versmee answered that the daycare is located on Rotherwood Road. There's no sidewalks. For the daycare to reach the sidewalk, they have to cross diagonally in the intersection. I did not request a stop sign at this intersection. I just want the intersection to be improved for pedestrians. Mr. Prizant added that if driver expectations and compliance are improved, pedestrian safety is improved because pedestrians right now especially without pedestrian facilities are looking to understand what the vehicles are doing at the intersection. If they can, you know better anticipate what a vehicle may do especially a vehicle coming southbound on Clark Street that will help them decide as far as how to proceed through the area.

It appears drivers naturally slow down because of the speed bumps and realize they're approaching a multi directional intersection. It is odd to approve a stop sign for people walking in the street. I support approving the appeal.

Vice-Chair Markiewicz stated that a stop sign is the best that can be done under the circumstances. You can't stripe crosswalks, there are no sidewalks, and you can't reconfigure the intersection. Traffic Council felt a stop sign was a modest improvement in safety.

A Councilor stated that we are clearly in need of resources and redesign. We have absolutely zero tools at our disposal. I really wish that Council, were in a position to do more. A stop sign feels wholly insufficient, but I don't see a reason not to install it if it can help with safety. I would like to see resources and attention geared towards adding sidewalks and crosswalks and other things that make living in this kind of a situation safer for everybody.

Mr. Freudberg stated that he wanted to respond to what Mr. Prizant said which is that a stop sign will help you sort of predict what cars are going to do. That is a very dangerous concept. I would never walk in a street, assuming that the car is going to stop at the stop sign, you would wait for the car to stop. Traffic volume is low, and visibility is good in the intersection. No issue has really been identified. A stop sign is sort of a solution that's disconnected from any actual problem. The cautious approach is actually to leave things as they are. If you have two approaches with a stop sign and two cars coming from Rowena Road and the Clark Street approach with the new stop sign, then you've added a lot more decisions that need to be made making it much more complex. The way the intersection operates now is if it's clear you go and then that's it, you've actually reduced conflict. I'm not quite sure what the stop sign is meant to do. I think it does make it actually more confusing. We should be encouraging pedestrians and bicyclists and the way you do this is to make the environment safer. It all kind of just works itself out, as it has done for many, many years. I don't see a reason to change it. A stop sign is just going to make it more confusing.

Mr. Prizant clarified that right now, we understand, unfortunately, without pedestrian crossing facilities, pedestrians can be found at times within the intersection crossing the street. If you are already in the intersection, your chances of proceeding safely through are improved if a vehicle has to follow and adhere to a regulatory stop sign versus no control at all.

Where exactly are pedestrians walking? Mr. Prizant answered they are walking at any point. Right now, without a clearly defined pedestrian crossing and from observations pedestrians can essentially be anywhere within the intersection.

Can crosswalks be installed where there are sidewalks? Mr. Prizant answered no because there are no connecting sidewalks and accessible ramps.

Councilor Bowman offered to research the possibility of a crosswalk which probably would need funding. Perhaps we could approach the Commission on Disability to see if they would be interested this year to consider installing a crosswalk. I would like us to consider less expensive options. Perhaps DPW will consider docketing a 4-way stop sign, paint and signs to enhance safety.

Mr. Freudberg stated that Mr. Prizant and I spoke about the stop sign placement. Having it on the utility pole is actually possibly too far forward creating confusion for cars coming over Rowena Road. There is a different kind of tension, where you're kind of stuck between two bad options. The stop sign is not needed. Mr. Prizant said that it could go either way and didn't feel super strongly about it. Mr. Freudberg continued saying that Mr. Prizant knew about this intersection for a long time, and never really thought about it until two tickets came in on 311. I understand the pedestrian experience, but it's just not really addressed by the stop sign.

Without further discussion, Councilor Lipof made a motion to deny this item. Committee members agreed 4-3, Councilors Lucas, Oliver and Malakie opposed upholding Traffic Councils decision.

The Committee adjourned at 8:52 p.m.

Respectfully submitted,

Christopher J. Markiewicz, Vice Chair

Public Safety and Transportation

City of Newton

June 7, 2023

147-23

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Appeal of #TC5-23

Stop sign on the traffic island at the Clark St & Rowena Rd intersection

Location Map:
Clark Street & Rowena Road

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Public Safety and Transportation

Aerial View:
Clark Street & Rowena Road

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Clark St looking south toward Clark Street (Rowena Road is toward the left)

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Considerations

147-23

- Non-traditional intersection, somewhat of a T-Intersection.
- There are no MUTCD requirements to review for this request
 - MUTCD provides guidance and relies on engineering judgment
- There is no recorded crash history at this intersection
- Two resident requests were submitted in recent weeks to consider this stop sign addition
- Recently, Feeney Brothers (National Grid contractor) had been replacing a gas main in the vicinity of this intersection which may have caused atypical driver maneuvering of this area
- It is not necessary to install a stop sign, but a stop sign can be installed at the Clark Street southbound approach to clarify right-of-way and promote safer driver maneuvering

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Public Safety and Transportation

Recommendation made to Traffic Council at the March 23, 2023 Meeting

147-23



Approve docketed item

6.07.23

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Public Safety and Transportation

Motion Made and Traffic Council Vote at the March 23, 2023 Meeting

147-23

Motion made by Council Downs to approve this stop sign. Council members agreed 5-0.

By INSERTING into the provisions of Sec. TPR-147. Obedience to isolated stop signs., the following:

Clark Street southbound on the traffic island at the northwest corner of the Clark Street and Rowena Road intersection.

CAN BE APPEALED
April 12, 2023 – Appeal Deadline

6.07.23

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Public Safety and Transportation

Responses to Comments Received Subsequent to Traffic Council Vote

147-23

Letter from Mr. Jeremy Freudberg, addressed to PS&T Committee

- There is no crash history at this location. (See MUTCD Guidance 2B.04_02_E; MUTCD Guidance 2B.04_04_C; MUTCD Guidance 2B.06_02_C)
 - *DPW Response: We acknowledge that there is no crash history at this intersection. The specific sections of the MUTCD that are referred to include many factors that should be considered, and crash history is just one factor of many factors.*
- Clark Street southbound has excellent sightlines to traffic on the Rowena Road approach and the other two Clark Street approaches, as well as to crossing pedestrians. (See MUTCD Guidance 2B.04_04_B; MUTCD Guidance 2B.06_02_B)
 - If drivers can confidently and consistently make safe decisions, then the stop sign is not necessary. Therefore, the presence of a stop sign here will devalue necessary – and meaningful – stop signs elsewhere.
 - *DPW Response: There is at least one large tree blocking sight lines for Clark Street southbound vehicles looking to on-coming traffic from the east. We disagree that a STOP sign at this location will devalue STOP signs elsewhere.*

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Intersection Sight Triangles

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6.07.23

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Public Safety and Transportation

Responses to Comments Received Subsequent to Traffic Council Vote

147-23

Letter from Mr. Jeremy Freudberg, addressed to PS&T Committee (continued)

- Notably, and uniquely, the 3 uncontrolled approaches at this intersection are all preceded by speed humps. These speed humps are designed for 15mph, which affords additional time for reactions to other drivers, pedestrians, and bicyclists. (See MUTCD Guidance 2B.04_02_C)
 - *DPW Response: Many drivers will accelerate between speed humps, and are likely traveling at higher speeds at the conflicts points within this intersection. The nearest speed hump to the east is approximately 240 ft away, and the nearest speed hump to the north is approximately 160 ft away.*
- This is a unique intersection which despite its appearance has functioned well for decades. The long crossing-distances for pedestrians are arguably a problem, but a stop sign won't change that. If anything, the stop sign creates a false sense of security for pedestrians given that stop signs which aren't needed are less likely to be obeyed / fully understood.
 - *DPW Response: In our judgment, the proposed STOP sign will be an incremental positive change to improve safety for pedestrians and bicyclists.*

6.07.23

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Public Safety and Transportation

Responses to Comments Received Subsequent to Traffic Council Vote

147-23

Letter from Mr. Jeremy Freudberg, addressed to PS&T Committee (continued)

- Curiously, residents who attended the Traffic Council meeting and who previously wrote in via 311 suggested yield signs. This suggests that there is no issue with lack of stopping, but just that a reminder of right-of-way rules might contribute some additional comfort. This could potentially be achieved with advisory signs, rather than an overkill stop sign which brings its own problems.
 - *DPW Response: While discussed at the March 2023 Traffic Council meeting, Traffic Council did not further consider a YIELD sign at this inspection, because the MUTCD disallows the use of both a YIELD signs and a STOP signs within an intersection. An advisory warning sign does not assign right-of-way at an intersection. An important goal is to provide clarity to all drivers regarding who has the right-of-way when approaching the intersection.*

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Public Safety and Transportation

Responses to Comments Received Subsequent to Traffic Council Vote

147-23

Letter from Mr. Jeremy Freudberg, addressed to PS&T Committee (continued)

- There is a double-yellow centerline on Clark Street southbound ending well in advance of the intersection – and its early end serves as an advance warning of the intersection.
 - *DPW Response: In our judgment, the end of the double-yellow centerline on the north leg of Clark Street in advance of the intersection does not provide any information to drivers regarding who has the right-of-way within the intersection.*

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Public Safety and Transportation

Responses to Comments Received Subsequent to Traffic Council Vote

147-23

Letter from Mr. Jeremy Freudberg, addressed to PS&T Committee (continued)

- I have been familiar with this intersection since birth. I walk and drive through this intersection multiple times a day. In nearly all cases, right-of-way rules are respected, and the rare case when they are not, low speeds and good visibility allow negotiation to occur without incident. I support the ideas of reducing crossing distances, improving sightlines from the Rowena approach, and accommodating pedestrian desire lines with ramps, crosswalks, and sidewalks. Perhaps we will get there someday, but the proposed stop sign on its own, and not as part of a grander reconstruction project, is disconnected from those goals and is a tool of disruption and confusion.
 - *DPW Response: In our judgment, a STOP sign is a regulatory device to provide clarity regarding right-of-way, and is not a tool of disruption and confusion. As transportation professionals, we look for opportunities to improve safety for all users of the roadway, including those unfamiliar with the intersection.*

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Public Safety and Transportation

Supplemental Letter from Mr. Jeremy Freudberg, addressed to PS&T Committee

- When the proposal was originally discussed at Traffic Council, there was no presentation of volume data or sight-distance calculations. For a complicated intersection (which this no doubt is) it is useful, and indeed required under certain sections of the MUTCD, to have such data and calculations to inform decisions regarding intersection control. It is my hope that these will be provided to your committee.
 - *DPW Response: The relevant sections of the MUTCD make clear that this decision should be based on Engineering Judgment and provides guidance relative to which factors should be considered when making this decision. In this case, the relevant sections of the MUTCD do not require a formal engineering study. It is noted that the MUTCD recommends or requires engineering studies for other intersection control types (e.g. all-way STOP or Traffic Signals, respectively). In this case, only Engineering Judgment is needed.*