

Danielle Delaney

From: Jeremy Freudberg <jeremyfreudberg@gmail.com>
Sent: Wednesday, May 31, 2023 12:44 AM
To: Andreae Downs
Cc: David Koses; Christopher J. Markiewicz; Alicia Bowman; Danielle Delaney; Jason Sobel; Isaac Prizant; John Oliver; Tarik Lucas; Julia Malakie; Rebecca Walker Grossman; Richard Lipof; Andrea W. Kelley; Vicki Danberg; Brenda Noel; Susan Albright; Carol Moore
Subject: Re: PS&T June 7
Attachments: Appeals since 2020.pdf; letter to downs and delaney.pdf

[DO NOT OPEN links/attachments unless you are sure the content is safe.]

Dear Andreae,

Thank you for your response. I have several concerns which I discuss below.

1. It is false that "normally, appeals are heard at the next PS&T meeting after the appeal is filed." Please see the attached analysis of the timing of the 4 appeals heard at PS&T from 2020 to the present (you were chair for three of them), which if anything (while acknowledging the small sample size) shows that the committee is quite flexible and occasionally dilatory in hearing appeals. However, I do apologize if I misunderstood any nuances of the usual practice regarding coordinating with and notifying appellants regarding the date that PS&T will hear their appeal.
2. It is also false that the City does not have records for renters (or more accurately non-owners, or simply occupants). We conduct the municipal census every year with very accurate results. Separately, my understanding is that the City Engineer is able to provide a listing of individual unit addresses within multi-unit buildings, which could have at least been used with the addressee as "Current Resident". I also must note that as I do not own the house where I live, I have not yet been notified of the meeting. (This is not the first time that I have raised such a concern, most notably when we failed [twice, if I recall correctly] to notify any of the occupants of an apartment building on Langley Road of an upcoming Traffic Council item, including the docketer of that item.)
3. Regarding hybrid meetings, as I wrote in my original letter to you and Danielle, it is obvious that hybrid meetings are "the only way to ensure that no member of the public will be excluded from full participation" and you appear to concede this point ("better than not being able to participate at all"). Additionally, after 3 years with Zoom as the default, I know that for me it is not healthy or productive to be on Zoom, which I am sure is also true for others. Honestly, the couple of hours a month for Traffic Council and an occasional glance at raised Zoom hands during NHNAC meetings are difficult enough for me. And although perhaps the usual content at PS&T lends itself to being fully virtual, I believe all of the members have attended other committee and Council meetings in-person. I would think (or would have thought) that the members would recognize the current overall practice which is to meet in a hybrid format whenever public comment is expected and the opportunity for it is advertised, as is the case here.
4. My appeal is not an attack and we are not adversaries. I enjoy working with other passionate people to solve transportation-related issues here in the City and my appeal is nothing different. After multiple years of what I thought was friendly collaboration with many of you, I think I deserve better. I'm not sure why I couldn't have been informed of the decisions regarding meeting format and notifications as soon as they were made. I'm also not sure why no one from the Clerk's office or DPW, nor any Councilors, reached out to me at any point after I filed my appeal -- and I'm not sure how to take that other than personally. It would have been great to have spent the past 1.5 months in collaboration and continuing to learn from each other.

I am happy to discuss solutions to all of these significant problems (both as they affect the immediate situation and in

general) with you and others.

Finally- I am available to meet any Councilor at the subject intersection for observation and discussion.

Thank you.

Best,
Jeremy
857-636-8420

On Tue, May 30, 2023 at 3:55 PM Andreae Downs <adowns@newtonma.gov> wrote:
sorry—I forgot to attach the ordinance and council rules that apply

Andreae Downs

Newton City Council

From: Andreae Downs <adowns@newtonma.gov>

Sent: Tuesday, May 30, 2023 3:39 PM

To: Jeremy Freudberg <jeremyfreudberg@gmail.com>

Cc: David Koses <dkoses@newtonma.gov>; Christopher J. Markiewicz <cmarkiewicz@newtonma.gov>; Alicia Bowman <abowman@newtonma.gov>

Subject: Re: PS&T June 7

Dear Jeremy:

I appreciate that you are concerned about the stop sign appeal item scheduled for June 7. Know that normally, appeals are heard at the next PS&T meeting after the appeal is filed. Since May is full of budget hearings, June 7 was the next regular PS&T meeting. I do not usually coordinate committee meetings with appellants.

Upon consultation with staff and colleagues, I decided to keep the mailing list to the original notification list, per city practice.

The city does not have records for renters, only owners, of residential properties. You are welcome to notify any additional neighbors, if you wish.

PS&T has yet to schedule a hybrid or in-person meeting since the pandemic shut down. I am open to revisiting that, however, the members of the committee have yet to express interest in a hybrid format. In my now somewhat extensive experience of hybrid meetings, they are not optimal for the remote audience—although better than not being able to participate at all.

April , 2023

Dear Chair Downs and Clerk Delaney,

I am looking forward to a productive conversation in the Public Safety & Transportation Committee regarding the appeal filed herewith. In preparation for this conversation, I note Section 19-33 (b) of the City Ordinances:

“... The clerk of the city council shall send or deliver notice of hearing on appeal to all persons notified of the original traffic council hearing *and to such other persons as the city council may determine.*” (emphasis added)

The City Council has implemented this section of the Ordinances by adopting Rule I.5.G.(1):

“Notification of abutters/interested parties by the Clerk should include, at a minimum, the notification list utilized for the original Traffic Council hearing. The Committee Chair may request the Clerk provide additional notification at the Chair’s discretion;”

I strongly recommend that the Chair make such a request for additional notification of this appeal in accordance with the above. In particular, the additional notification should be to the “interested parties” throughout the entire neighborhood and not just those within a small and arbitrary radius; in the case of two-family houses, care should be taken to ensure that occupants of both units are notified.

Also, I respectfully request a **hybrid** meeting for the discussion of this appeal. It is obvious that this is the only way to ensure that no member of the public will be excluded from full participation.

Please contact me with any questions. Thank you for your assistance.

Yours truly,

Jeremy Freudberg, 102 Clark St.

Appeals since 2020

| Item | TC meeting | Appeal filed | New docket date | Next PS&T* | Actual PS&T heard |
|-------------------------|--------------------|--------------------|-------------------|--------------------|-------------------|
| Exeter/Berkeley stop | September 15, 2022 | September 21, 2022 | October 3, 2022 | October 12, 2022** | October 19, 2022 |
| Parker Road stop | July 22, 2021 | August 9, 2021 | September 9, 2021 | September 22, 2021 | October 6, 2021 |
| Grasmere permit parking | November 12, 2020 | December 1, 2020 | December 21, 2020 | January 20, 2021 | March 3, 2021 |
| Roosevelt/Theodore stop | January 23, 2020 | January 30, 2020 | February 18, 2020 | February 19, 2020 | May 13, 2020 |

*With some liberties for reasonable cancellations due to elections, recognized holidays, and special meetings which took the place of regular meetings. If any of the dates had been during budget season, I would have accounted for that too.

**The committee schedule seemed to be a bit off in October 2022. The 3 Ps should have met on their regular schedule on October 5, 2022, but instead planned to meet on October 12, 2022, although 2 out of the 3 Ps, including PS&T, were ultimately cancelled. Regardless, October 19, 2022 would not have been predicted as the "next" PS&T meeting.