



Public Safety & Transportation Committee Report

City of Newton In City Council

Wednesday, March 8, 2023

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

Also Present: Councilors Krintzman, (Chair), Greenberg, Albright, Wright, Humphrey, Noel, Baker and Ryan

City Staff: Chief John Carmichael Newton Police Department; Director of Transportation Planning Joshua Ostroff; Director of Transportation Operations Jason Sobel and Chief Operating Officer Jonathan Yeo

Others Present: NewTV

For more information regarding this meeting, a video recording can be found at the following link: [Public Safety and Transportation Committee March 8, 2023 \(newtv.org\)](https://www.newtv.org/public-safety-and-transportation-committee-march-8-2023)

Referred to Public Safety & Transportation and Programs & Services Committees

#108-22 Requesting report as to the implementation of the leaf-blower landscaper registration and enforcement

COUNCILORS BAKER, GREENBERG, HUMPHREY, NOEL, AND WRIGHT requesting a report from the Executive Department, including the Chief of Police and the Commissioner of Inspectional Services, as to the implementation of the leaf-blower landscaper registration and enforcement ordinance amendments effective Labor Day 2021.

Programs & Services Held 7-0 on 04/06/22 (Councilor Krintzman not voting)

Programs & Services Held 7-0 on 06/08/22

Programs & Services Held 8-0 on 03/08/23

Action: Public Safety & Transportation Held 7-0 (Councilor Bowman not voting)

Note: This item was jointly discussed with the Programs and Services Committee. Please refer to the Programs and Services Committee Report dated March 8, 2023.

#75-23 Requesting authorization to bring the City's ordinances relating to special officers (i.e., retired police officers) in conformance with the State law

HER HONOR THE MAYOR requesting authorization to bring the City's ordinances relating to special officers (i.e., retired police officers) in conformance with the State law governing the Massachusetts Peace Officer Standards and Training (POST).

Action: Public Safety & Transportation Approved 6-0 (Councilors Bowman and Oliver not voting)

Note: Police Chief John Carmichael introduced this item as a simple amendment to accept Massachusetts General Law. This amendment ensures that special police officers that are appointed by the city are required to meet the same standards that active police officers do, such as annual service training in CPR and other procedures. Chief Carmichael clarified that all officers are already required to be certified by the POST Commission, but the city ordinance should be updated to reference Chapter 6E of the Massachusetts General Law, which governs this matter.

Councilors asked the following questions:

Q: Does the City still have auxiliary police officers? If so, would they be considered special officers?

A: Chief Carmichael stated that the city does still have auxiliary police officers and they are a tremendous asset. Tonight's amendment is to identify what a special officer is and accept the training requirements outlined in Chapter 6E of Massachusetts General Law. Going forward, the department will seek to redefine the role of auxiliary police and clearly define that they are not considered performing police officers, and use their services in a different capacity in the future.

Q: What type of work do retired officers do in Newton?

A: Chief Carmichael explained that these officers mainly work as police details.

Q: Are these special officers that work details required to be armed? If so, are they required to maintain training for their weapon?

A: Chief Carmichael confirmed that special officers are equipped with a sidearm, and must uphold the same standards and training requirements as active police officers.

Councilor Markiewicz motioned to approve the item, which passed unanimously.

Referred to Public Safety & Transportation & Finance Committees

#86-23 Acceptance of \$190,000 from MassDOT's Community Transit Grant Program SFY23

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of one hundred ninety thousand dollars (\$190,000) in grant funding from MassDOT's Community Transit Grant Program SFY23 for the Newton in Motion (NewMo) Senior Transportation microtransit program.

Action: Public Safety & Transportation Approved 6-0 (Councilors Bowman and Oliver not voting)

Note: Nicole Freedman introduced this item. She explained that they receive this grant annually and it is specific to the senior portion of NewMo. Ms. Freedman added that this grant is to cover operations costs, which is exceedingly rare. She also noted that while the city has received this grant every year, this year's grant is for more money than in previous years.

Councilors asked the following questions:

Q: How is this grant specific to seniors, when NewMo is not exclusively used by seniors?

A: Ms. Freedman explained that this grant funding is used to pay for invoices for NewMo rides to and from the Senior Center, which cater to seniors. She added that the city is able to keep track of how many seniors are taking NewMo trips versus different age groups. Ms. Freedman also noted that seniors have a number of advantages in their NewMo services that other age groups can't access, such as door-to-door service, pre-scheduled rides to medical appointments beyond Newton's borders, and special weekend hours.

Q: What is the minimum age to qualify as a senior for NewMo?

A: Ms. Freedman stated that the minimum age to qualify as a senior is 60.

Q: Didn't NewMo start as a senior-only service?

A: Ms. Freedman confirmed that NewMo began in 2019 as a senior-only service.

Q: Are there two separate contracts, one for senior services and one for all other ages?

A: Ms. Freedman stated that once NewMo grew to a citywide service in 2021, and the initial senior services contract expired in 2022, all services are part of one contract now.

Q: The Planning Department has expressed an intent to give a presentation to the full City Council about NewMo and its financial status. Is this still part of the plan, and if so, when can we expect to see this presentation?

A: Ms. Freedman explained that she has the presentation ready to go and is happy to present at any time. She added that a request for the presentation needs to be docketed.

Q: Is there a complaint resolution system in place for NewMo?

A: Director of Transportation Planning Josh Ostroff explained that there is a dashboard where complaints can be logged. In addition, there are efforts by Planning staff to speak to customers and log complaints on their behalf if need be.

Q: There was a recent incident where multiple young women were proselytized by a NewMo driver. How has that been resolved?

A: Ms. Freedman stated that that driver is no longer part of the NewMo system.

Director Ostroff added that he was able to speak to a victim's parents and handle the issue. While inexcusable in the service sector, he added, incidents happen from time to time and will be handled as they come.

Q: Is this kind of incident handled by the city or by Via?

A: Via is the employer, so they are the one to handle the issue directly. However, as their client, we have a strong collaborative relationship where they value the City's input.

Councilors made the following comments:

It was noted that part of the reason NewMo was started was that the taxi voucher system was crumbling due to fewer taxis and higher costs for the city to subsidize rides.

It was expressed that multiple Councilors from other Committees would like to see justification for NewMo as a service, and a presentation to the full Council would be conducive to that end.

It is believed that there is already a docket request for the NewMo presentation, it just needs to be located and scheduled.

Director of Transportation Planning Josh Ostroff recognized Nicole Freedman's work to leverage funding sources for NewMo, and that this program has only been made possible through her efforts.

Councilor Lipof motioned to approve the item, which passed unanimously.

Referred to Public Safety & Transportation & Finance Committees**#85-23 Acceptance of \$712,459 from MassDOT Community Connections Program
FY23-25**

HER HONOR THE MAYOR requesting authorization to accept and expend the sum of seven hundred twelve thousand four hundred fifty-nine dollars (\$712,459) in grant funding from MassDOT's Community Connections Program FY23-25 for the Newton in Motion (NewMo) microtransit program.

Action: Public Safety & Transportation Approved 6-0 (Councilors Bowman and Oliver not voting)

Note: Nicole Freedman introduced this item. She explained that this grant is for new services rather than operations. Ms. Freedman explained that the new service changes covered by this grant would be additional vehicles, a transition to electric vehicles, and adding select points beyond Newton's borders for all ages to access via NewMo. She named Watertown Square, the Waltham MBTA Commuter Rail Station, the Leo J. Martin Golf Course, and potentially other sites as well. Ms. Freedman stated that these points were selected based on census data that indicates that Waltham and Watertown are the primary areas where people commute from to work in Newton.

With no questions or comments from the Committee, Councilor Markiewicz motioned to approve the item, which passed unanimously.

Referred to Public Facilities and Public Safety & Transportation Committees**#77-23 Discussion of short-term prevention strategies at Crafts/Albemarle/North Streets
COUNCILOR DOWNS, LEARY, NORTON, BOWMAN, MALAKIE, WRIGHT AND
LUCAS requesting a discussion of possible short-term prevention strategies at Crafts/Albemarle/North Streets and surrounding areas to address safety and recent crashes.**

Action: Public Safety & Transportation voted No Action Necessary 7-0 (Councilor Lipof not voting)

Note: Chair Downs introduced this item. She explained that she, along with Council Leary and Jen Martin from Safe Routes to School, went and observed regular morning traffic patterns in this area, noting how crazy the area gets. Chair Downs acknowledged plans to make this intersection safer down the line, but expressed that the number and nature of the crashes there have created a sense of urgency. She added that this area is one where schoolchildren cross on their walk to and from school, however many are now being driven to school due to the perceived danger at this intersection.

Director of Transportation Operations Jason Sobel explained that in August of 2020, the city began a trial of closing down the North side of Albemarle St between Crafts St and North St, which has been in place since. He noted that there have been concrete planters installed in the

area. Director Sobel continued, saying that in the 3-year period before the closure, there were 30 crashes in this area. In the 2+ years since the closure, there have been 13 crashes – 5 in 2021 and 8 in 2022, with 1 so far in 2023. Director Sobel noted that this is substantial progress.

Director Sobel referenced the MassDOT road safety audit that was completed in October of 2022, which found 33 potential safety enhancements in this area. He explained that 18 of these potential enhancements are for the Albemarle/Crafts/North St area, 8 of which are considered short-term projects. Director Sobel clarified that 1 enhancement is already in progress, which is to permanently close the northbound side of Albemarle St between Crafts St and North St. He added that 2 short term projects have already been completed – the closure of an old driveway at 409 Crafts St and installation of high visibility crosswalk markings throughout the area. Director Sobel explained that the remaining projects, such as a 20 MPH safety zone speed limit, has been done elsewhere in the City and has shown to be effective. Another project that Director Sobel mentioned was “Do Not Block Intersection” pavement markings, which he hopes to be able to do in April. Director Sobel also noted that a potential improvement would be to restrict left-turns from Albemarle St southbound onto Crafts St. He estimated that the impact would be relatively small, but positive. The last short-term project outlined in the road safety audit is the closure of the right-turn pocket from Albemarle northbound onto Crafts St. One of the mid-term projects is to evaluate street lighting on Albemarle, which is ongoing.

Chief Operating Officer Jonathan Yeo noted that the lighting improvements on Albemarle St came at the suggestion of the Friends of Albemarle group.

Director Sobel mentioned that an issue in this area that is not addressed in the road safety audit is a sightline issue between southbound vehicles on Albemarle St and eastbound vehicles on Crafts St. He noted that the issue is primarily caused by a line of bushes and shrubs on private property, but added that he believes that there is a zoning ordinance that allows the City to require the homeowner to either cut them back or cut them shorter.

Police Chief John Carmichael explained that the police department has added a lot of directed patrols in this area. In the last 14 months, the police have taken reports on 9 crashes. 5 of which involved taking a left turn from Albemarle St southbound onto Crafts St, 2 were rear ends where someone was stopped waiting to turn, and two involved drivers hitting cyclists. Chief Carmichael noted that the police department no longer refers to these incidents as “accidents” because the word implies that there is no one at fault. He continued that these crashes are due to aggressive or distracted driving and are preventable.

Councilors asked the following questions:

Q: How likely is it that the city will be able to remove the shrub obstruction mentioned by Mr. Sobel ?

A: Director Sobel pointed to the following language in the zoning ordinance: “In no district shall any obstruction to the view which constitutes a traffic hazard be allowed within the required setback lines. Upon complaint by the City engineer, the City Council, after public hearing, may order the removal at the owner’s expense of any such obstruction.

Q: Has there been a study regarding whether the Crafts St and Albemarle St intersection meets the requirements to install a traffic light?

A: Director Sobel explained that this study has been completed and that the MassDOT Safe Routes to School Infrastructure Grant will fund this project in FY25. He added that there have been discussions surrounding moving that funding up to FY24, but there have been no firm commitments.

Director Ostroff confirmed that he will report back to the City Council once they receive a definitive timeline from MassDOT.

Q: Are there any inexpensive solutions to try to prevent cars from creating a third lane to queue up for left turns on Crafts St to North St? And can we protect the bike lanes by adding flex posts?

A: Director Sobel acknowledged that this does happen, but is more frequent on Crafts St before the Fessenden driveway. He added that there is parking on the south side of Crafts St Eastbound, so it’s not practical to place flex posts there.

Q: Is there any plan to address the age and functionality of the audible pedestrian walk signals at Crafts St and North St?

A: Director Sobel explained that the crux of the issue is the volume of the audible walk signals. He elaborated that it’s a balancing act to make sure the volume of the signal is loud enough to be clearly heard, but not so loud that it disturbs the residents in the area.

Councilors made the following comments:

It was noted that speed limits are only effective if they’re actively enforced. Even if there is a flashing 20 MPH speed limit sign, drivers will continue to speed unless there are police officers pulling people over for speeding.

Speeding doesn’t often occur in this area due to the high levels of congestion throughout most of the day. It was added that early in the morning and late at night, speeding is rampant. The idea of a traffic light at this intersection is well received because it will slow down speeders without interfering too much with regular traffic.

Director Ostroff noted that there will be updates regarding the Albemarle St traffic calming project in the coming weeks.

Chair Downs opened the meeting to public comment:

Dan Evans, 24 Maynard Street, stated that there needs to be more speed limit enforcement on Maynard St, as commuters use it as a cut through to avoid Crafts St, which creates a dangerous environment for schoolchildren walking to and from the various schools in the area.

Councilor Markiewicz motioned a vote of no action necessary, which passed unanimously.

The Committee adjourned at 9:35 p.m.

Respectfully submitted,

Andreae Downs, Chair