

APPROVED MINUTES of the Special Meeting/Workshop of the City Council of the City of Rye held in City Hall on June 18, 2008 at 7:00 P.M.

PRESENT:

STEVEN OTIS, Mayor (arrived at 7:50 p.m.)
MACK CUNNINGHAM
PAULA J. GAMACHE
CATHERINE F. PARKER (arrived at 7:15 p.m.)
GEORGE S. PRATT (arrived at 7:12 p.m.)
JOSEPH A. SACK
Councilmembers

ABSENT: ANDREW C. BALL

ALSO PRESENT:

Traffic & Transportation Committee: Brian Dempsey
Temporary Trailway & Traffic Safety Study Group: Bobbi Billington, Doug Carey, Doug French

STAFF:

Christian Miller, City Planner
George Mottarella, City Engineer
Dawn Nodarse, City Clerk
Scott Pickup, Assistant City Manager
Paul Shew, City Manager

1. Pledge of Allegiance

Councilman Cunningham called the workshop portion of the meeting to order at 7:03 p.m.

2. Roll Call

Councilman Cunningham announced that Mayor Otis was delayed and the Special Meeting Agenda Item (Item No. 3) would be deferred until later in the evening. He said that the workshop portion of the evening was less formal than a regular Council Meeting and introduced the Council Members who were present, as well as members of City Committees and Staff. No vote was taken until a quorum was present.

3. Appeal of denial of FOIL request made by the Rye Police Association

(This item was deferred to the end of the meeting.)

Mayor Otis said there was really no reason for the appeal since the request was for a document that does not exist.

Councilman Pratt made a motion, seconded by Councilman Cunningham and unanimously carried, to adopt the following resolution:

RESOLVED, that the Council of the City of Rye hereby affirms the denial of a F.O.I.L. request filed by the Rye Police Association to obtain “all records of any event held by or on behalf of former City of Rye Clerk Sue Morison as well as all facility fees paid...” on the basis that no public documents exist.

ROLL CALL:

AYES: Mayor Otis, Councilmembers Cunningham, Gamache, Parker,
Pratt and Sack

NAYS: None

ABSENT: Councilman Ball

Workshop

Councilman Cunningham offered background on the evening’s topics of discussion. In 2007 the Mayor established the Temporary Trailway & Traffic Safety Study Group, which had three components: the Trails Committee that looked at ways to connect neighborhoods by trails for walking and exercise, the Traffic Safety Committee that studied the Boston Post Road and the Schools Committee that looked at traffic and pedestrian issues relative to encouraging children to walk to school. He said City Planner Christian Miller would present a snapshot on some of the options that have been looked into. Councilman Sack added that the background history was helpful and that the Temporary Trailway Group had many good ideas but the Council had to prioritize and focus on a couple of the good ones. The Council decided to discuss items 5 and 4 out of order. There were several items discussed including Oakland Beach Avenue, Forest Avenue and obstructions in the right-of-ways. The City staff will provide background material to the Council on right-of-way issues and seek a legal opinion from the Corporation Counsel’s office.

4. Discussion of opportunities for Pedestrian enhancements on Oakland Beach Avenue

City Planner Christian Miller said that the City has been asked to consider improvements to Oakland Beach Avenue in the area from Thorne Place to Hix Park for the children who go to Milton School. He said staff has been able to find information dating back to the 1950’s when the City acquired property with the idea of straightening the road to soften the sharp curve. Two alternatives have been considered, one is to enhance the sidewalk on the South side of the Road, which would involve relocating the road and shifting the sidewalk, and the second would add a sidewalk on the North side of the road. There is a potential problem because the roadway is not

centered within the City's right-of-way and one property on the North side constrains the right-of-way. Other issues that would also need to be considered would be drainage and curbing. The next step would be to have a survey done to determine who owns what and then design a project to determine a cost/benefit analysis before bringing the project back to the Council. Mr. Miller added that a request for funding to repave the existing sidewalk on the South side was included in the Safe Routes to School grant application that was recently filed. In response to a question from the audience about any possibility of elevating the priority of safety issues in the planning and budgeting process to move them along quicker, Mr. Miller said that it can always be looked at but capital projects must go through a process to get to the funding stage and lower cost projects usually have lower effectiveness. Mayor Otis asked staff to look into accelerating the survey process in order to move the project along sooner.

5. Discussion of opportunities for Pedestrian enhancements on Forest Avenue

City Planner Christian Miller said the section of Forest Avenue being discussed was the area from Apawamis Avenue to Grace Church Street that has no sidewalks. He said the lack of sidewalks causes a problem because the Activate America program is encouraging children to walk to school and this area is also used by many people for recreational purposes like walking and bike riding. He also noted that there are many obstacles to installing sidewalks such as utility poles in the right-of-ways and the fact that in the past many abutting neighbors have opposed sidewalks because they would then be responsible for their maintenance. Mr. Miller added that sidewalks might not meet all needs and that widening the road might be a better idea. The length of the proposed widening project would be from Apawamis Avenue to Manursing Way due to substantial rock outcroppings within the right-of-way north of that area that would significantly increase the cost of the project. He said that staff has many capital projects to consider and look for opportunities before going to the design process. He said there is a drainage project in the Stonycrest Road area currently planned for 2011 that the street widening project could be combined with in order to avoid having to pave the road twice. The paving project would increase the width of the paved area of Forest Avenue and provide a three to five foot shoulder along each side of the road. Painted lines could set off the shoulder areas similar to the strips that have been painted along each side of the Boston Post Road in the area where the "diet" has been implemented. He said one problem in connection with encouraging children to walk to school is that the easement that created a walkway to Midland School at the end of Eve Lane had expired in 1969 and should be secured by the City before proceeding because access through Ann Lane and the Synagogue property were not options. If the Council believes there is interest in this proposal, the next step would be to have a survey done to determine ownership and then have designs made in order to determine the cost before bringing it back to the Council for approval.

Citizens commenting on the topic included: *Greg Norton, Howard Husock Joy Reidenberg, Steven Tuck, Helen Gate, Doug French, Lucy Cassidy, Karen Smith, Robin Husock and Bill Lawyer (representing The Rye Record)*. Questions and comments included:

- Why wouldn't the project be done until 2011? (Capital projects involve long range planning in order to be funded in the budgeting process, but the Council can always look at reprioritizing projects.)

- Can any interim safety measures be taken for school children that walk or bike this route to school such as signage or issuing them florescent vests? (The State has authorized a new “Share the Road” traffic sign that is a possibility.)
- Can speed bumps be installed or School Zone signs put up in order to mitigate speeding along the road? (Speed bumps would not be allowed and School Zone signs can only be erected in areas directly adjacent to a school.)
- Could reducing the speed limit to 25 miles per hour deemphasize the use of Forest Avenue as a route to reaching Playland? (There are only a certain number of roads in the community and the Council can’t regulate the use of Forest Avenue.)
- Sidewalks are preferable. Why doesn’t the City relocate utility lines underground in order to clear the way for sidewalks? (The City does not maintain the utility poles. It would be the decision of the utility companies to relocate lines and they usually do not want to do this because it is very expensive for them.)
- The project should be extended down to Grace Church Street in order to eliminate the “deadman’s curves” in the road.
- The City should indemnify the Synagogue and owners of property on Ann Lane where children could cut through to the school in order to give them options that provide the closest access.
- The City should provide for passage across Forest Avenue for school children including crosswalks, crossing guards, flashing yellow lights and signage.
- Widening the street could be preferable to sidewalks because people don’t always shovel their sidewalks but the City would plow the street.

The Council and staff thanked those in attendance for their input, acknowledging that the Council should be flexible in considering different options and reiterating that safety was a priority.

6. Discussion of obstructions in the right of way

Mayor Otis began the discussion by noting that the questions of placing rocks in the right-of-ways has been discussed previously and there have been differing legal opinions on what the City can do. Traffic experts believe these rocks can be a safety hazard but some pedestrians believe the rocks make it safer for them to walk. Residents need to be educated to the problems in order to get compliance. Councilman Cunningham said he agreed the rocks appear to be a safety hazard and could also be a liability issue for the City. Councilman Sack suggested sending a mailing to property owners who have placed rocks in the right-of-ways telling them to remove them or they will be removed.

A lengthy discussion ensued regarding the issue of curbing, particularly curbs constructed from Belgian block. Councilman Pratt said he wanted to revisit the issue because he has noticed that Belgian block curbs are still being constructed, primarily for aesthetic purposes, in violation of City policy. He said the Council should provide clarity to staff on this issue and said he wanted a local law banning Belgian block curbing prepared for consideration in July on this issue, which would include a discussion of enforcement and any increase in staffing that would be required. City Planner Christian Miller said that current policy bans barrier curbs (curbs with a 90 degree angle) in roadways with a pavement width of less than 24 feet. He asked if the

Council wanted to ban all barrier curbs, noting that the policy must be changed before adopting a local law. City Engineer George Mottarella said that currently there are four types of curbing in town, decided on by the Planning Commission. He said that he is in favor of eliminating Belgian block in the right-of-ways entirely because it cannot withstand being hit by plows in the winter and then the City is responsible for replacing it. Council members questioned the responsibility of the City to replace damaged Belgian block that is located in the City's right-of-ways and Mayor Otis suggested asking Corporation Counsel Kevin Plunkett to review the issue. Mayor Otis also said he believed the Council needed additional information on the issue of obstructions in the right-of-ways. City Manager Paul Shew offered to provide the Council with information on the background "history" of the issue.

7. Adjournment

There being no further business to discuss, Mayor Otis made a motion, seconded by Councilman Cunningham and unanimously carried, to adjourn the meeting at 9:19 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk