

**City of Salem, Massachusetts**



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City Ordinance Sections 2-2028 through 2-2033."**

**The City Council Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole and Joint meeting with the Traffic and Parking Commission**

**met in the Council Chamber on Thursday February 29, 2024 at 6:36 P.M.**

**for the purpose of discussing the matters(s) listed below. Notice of this meeting was posted on  
February 14, 2024 at 11:07 A.M.**

**(This meeting is being recorded)**

**ATTENDANCE**

**ABSENT WERE: Councilor Cohen**

**Also in Attendance: Councilors Prosniewski, Jerzylo, Varela, Merkl, and Stott**

**From the City of Salem: David Kucharsky, Lt. Tucker, and John Giardi**

**From the Traffic and Parking Commission: Jaime Garmendia, Jeff Swartz, Erin Turowski, Lt. Tucker, and Brendan Casey**

**#437 Right on Red Ordinances for Traffic Lights in Northwest Salem**

Councilor Morsillo asks Jaime Garmendia to introduce the Traffic and Parking Commission and to call their meeting to order.

All members of the Traffic and Parking Commission are in attendance.

David Kucharsky begins the discussion of the light at Jefferson Ave and Dove Ave. The westbound approach is in the ordinance, but there is no sign to tell drivers that Right on Red is not allowed. There were 4 crashes, but none to do with right on red, some running the red light. Councilor Morsillo asks for confirmation that this light is under redesign by the City, and Mr. Kucharsky confirms.

Councilor Harvey restates from his comment at the last meeting, that this discussion has gone further than right on red. The number of crashes compared to the number of cars going through the intersection is miniscule. He feels that discussing all crashes, he would like to make a motion to discharge this from OLLA and put it into Public Health, Safety, and the Environment where it belongs. He thinks that if there are intersections that Ward Councilors are concerned about, that they should be discussing this with Mr. Kucharsky and bringing it to PHSE, and if there is an ordinance that needs changing, it would come back to us. Councilor Davis seconds.

Councilor Davis asks for clarification on why it would make sense to keep in OLLA and what the process is to put it into another committee. Councilor Morsillo explains that the items was unanimously sent to OLLA last year because we are discussing changing the ordinances to eliminate right on red or allow right on red, depending on the discussion. There was no discussion at that time to send it to PHSE. If it goes to PHSE, it is up to the Chair of the committee to determine how to handle the item. She states that safety at intersections is not something that she takes lightly. She explains that we just discussed an intersection and did not go through the details of each crash at the intersection. Understanding how intersections are used, what the patterns are for traffic and pedestrians, and making a decision on the allowance of right-on-red based on this information is worth our time in her opinion. We purposely started with the two maps at the first meeting, knowing that there would not be many occasions to change them, but understanding traffic patterns in the city is important. This is the first time that the Council has discussed this. We often send complaints into Traffic and Parking or the Police Department and if we make continuous calls, we may get some action. Having a public discussion and allowing the public to speak or send in their comments is an important thing for us to do as a body. She gets complaints as a Ward Councilor about pedestrians at intersections or on streets, and whether the discussion happens in PHSE or in OLLA does not matter, but the item is in this committee because that is where it was sent.

Councilor Watson-Felt thinks this is a huge undertaking and agrees with what was said by Councilor Morsillo. She thinks that what we have discovered is that the signage seems to be irrelevant. We have multiple issues: ordinance cleanup, which can come from the Traffic and Parking department and an issue of whether more right-on-red should be restricted, and can come from Lt. Tucker and Dave Kucharsky. The conversation we are having is very important and the issue of flaunting the ordinances and bad behavior is a different conversation. We need public awareness and enforcement. Even if we choose to begin small with right-on-red, it isn't time for an ordinance review yet. We need to have a broad conversation about safe driving and safe pedestrian behavior, which may result in ordinance changes. She is willing to send it to PHSE for that discussion, with a commitment from the Chair, but is not willing to discharge without that full commitment that it be taken up immediately because it is important and needs to be co-posted, with a plan to discuss the broader safety issue. That's outside the motion to send it to OLLA though. She wants it clear to the public that the discussion is about broader safety. She feels strongly that this conversation continues.

Councilor Morsillo states that what Councilor Watson-Felt is talking about is a different order and a different discussion. We have a matter in front of us that was sent to OLLA. The last meeting was just one hour, we are getting excellent input and are involving the Traffic and Parking Commission. Any way we do this, we still go through OLLA and we still discuss the proposed changes.

Councilor Merkl agrees there is good discussion happening, and it happens often that discussion can bring in other things. It happens a lot that items coming into Council can be interpreted as landing in a few different committees. A lot of what we take up can be considered Public Health and Safety for instance. We already started this process, there's a lot of work done, we are already engaging, we have already had a meeting, and we could be derailing something that is already in motion, and if we didn't feel that the work is done, we can take up something that someone in the Council feels wasn't covered. Traffic and pedestrian and cyclist safety is never ending and we can consider taking up matters that weren't discussed here. She thinks we would be sending this off track if moved to another committee.

Councilor Harvey restates that the agenda says right-on-red, not traffic flow, and we are misleading the public. He commends Lt. Tucker and Mr. Kucharsky with all the work they have put in. We are putting the cart before the horse, it has gone above and beyond what was supposed to be discussed. Councilor Morsillo asks how he can talk about right-on-red without talking about traffic patterns. Councilor Harvey states that right-on-red is not a traffic pattern.

Councilor Morsillo states that the discussion of crashes at the last meeting uncovered one that was not noted as right-on-red, but likely was. She again explains that discussing whether right-on-red makes sense requires looking at actions that happen in the intersection and not everything results in a crash but rather near misses, or pedestrians getting trapped in a crosswalk. She isn't sure how this discussion is not relevant to right-on-red if we are talking holistically about how an intersection is used.

Councilor Watson-Felt wonders if there is a compromise, requesting a recommendation from Lt. Tucker and David Kucharsky about which they think should be changed. She thinks that these conversations will continue to expand because the data is bringing issues to light. The data shows that there are intersections that are signed and there are still a lot of crashes, which beg for explanations for the accidents. She is asking for recommendations and a community conversation about traffic and road safety in Salem. Councilor Morsillo asks for a compromise: that because this meeting is already scheduled, and the public is in attendance, that we move forward with these lights, and that Lt Tucker and David Kucharsky offer their recommendations, if any, or state that they need more investigation. And then for the next meeting, they can bring their recommendations. Councilor Watson-Felt is agreeable with this.

Councilor Prosniewski states that he is surprised by the small number of incidents (crashes) at the intersections. Our numbers are way down from what he thought, and it points to the fact that Traffic and Parking know what they are doing. He thinks that the Ward Councilors are the experts and know what their constituents think about the lights. We are not the experts. Traffic and Parking should be asking the Councilors for their input and then come back with recommendations. We are spinning our wheels because this is not in our purview - it is in their purview. He thinks it will not derail anything, it will allow the Ward Councilors to communicate the issues.

Councilor Stott states that if she were a member of the committee, she would move the question. She apologizes for the inside baseball talk for 45 minutes, because everyone is attended tonight to discuss the lights on the map, most of which are in her Ward, and she is very familiar with all of them. She asks, but not looking for an answer, how many lights has she brought to Mr. Kucharsky and how many times has she asked Mr. Giardi for assistance, and it could possibly be every single intersection in this city. As a Ward Councilor it is very hard to say, "put me at the top of the pile." That's what is good about this discussion, because no, we won't solve it tonight in committee, we won't solve it in OLLA, but we will get the attention and the broader conversation about ideas, but she knows so immensely as a Ward Councilor, that it is not as simple as sending an email to say that we need to fix this traffic light, because of the immense workload that everyone has, and the priorities for the whole city. She appreciates the conversation, it's not perfect because it has never been done before.

Councilor Watson-Felt agrees with everything Councilor Stott says about trying to get change. She is 100% in favor of a broader discussion about safety. We get calls from people all the time about incidents that won't be called into the PD. But this was not in the order for tonight. This is supposed to be about right-on-red, but she is not sorry about this conversation.

Councilor Davis thinks that the agenda should be worded to include traffic patterns at intersections. Councilor Morsillo explains that this is not what the original order stated, that it is to discuss right-on-red.

On the motion of Councilor Harvey to discharge the item from OLLA and move it to PHSE, seconded by Councilor Davis, the motion does not carry: 1-3.

Councilor Watson-Felt asks if we have a commitment to continue discussion tonight, then take up recommendations for the downtown and follow that with a broader discussion on traffic safety. Councilor Morsillo states that the broader discussion would need to come in through a different order. Councilor Morsillo affirms that the third meeting will be guided with recommendations from the Traffic and Parking Department with Lt. Tucker.

David Kucharsky announces that the City received a Federal Safe Streets for All grant to start the broader discussion and create an action plan for the entire city. The department has received proposals from consultants and will choose one soon to lead the effort.

Mr. Kucharsky takes up the light on Highland Ave at the Hospital entrance, where No Right on Red is in the ordinance in two directions but not signed. Lt. Tucker states that there were no Right on Red incidents in the past three years.

Councilor Varela asks what the four accidents were at the light at Jefferson Ave and Dove Ave, and if one involved the death of a police officer. Lt. Tucker says that it was not the area where he was killed.

The intersection at Jackson St and Highland Ave. Both right turns are signed No Right on Red and are in the ordinance. There was one accident involving right on red in 2023, a car turning right from Jackson to Essex St, hitting a car turning onto Dalton Pkwy. There was also a right on red accident in 2022. Councilor Morsillo asks if Lt. Tucker can check the placement of the signs at that intersection, to make sure they are visible. Lt. Tucker states that signs have been knocked over several times there due to car crashes, and they are looking to place another sign for better awareness. Dave Kucharsky also adds that he will update the ordinances for this intersection to make it clearer which approaches are intended to be prohibited for right on red.

The intersection of Essex St and Boston Street. Two approaches are signed and in the ordinances. The others are not signed and not in the ordinance. Nor right on red crashes there.

Councilor Stott asks to go back to Jackson St at Highland Ave and how the right on red is being handled. Traffic really backs up there during school traffic hours. Lt. Tucker says they follow guidance from the State. Councilor Stott asks if there have been requests to look at the intersection related to pedestrian safety because of the school. Mr. Kucharsky says he has not gotten any requests, but it is under review by the MassDOT, which is redesigning Route 107, including this intersection.

Boston Street at Bridge Street. All approaches have a right on red restriction. Most crash activity (5 over the past year) involves cars turning and not yielding to cars that have the right of way to go straight. Councilor Stott asks if painting or additional signage will help, especially with Goodhue Street. Cars should be stopping before Goodhue, but instead go right up to the light.

Boston St at Nichols St, an offset intersection. There have been requests to tweak this light, which he has worked on with Mr. Giardi in the Electrical Department. He recommends putting both in the ordinances. Mr. Giardi agrees. No right on red crashes here, mostly rear-end crashes.

Essex St at Flint St. (there is no right turn allowed on the southbound approach). Of the three remaining approaches, there are no right on red signs and nothing in the ordinances. No crashes.

Flint St at Bridge St. The northbound approach is signed but not in the ordinance. The other three approaches are not signed and not in the ordinances. Councilor Watson-Felt asks about a recommendation for this intersection, where there is some red light running and tricky timing with crosswalk lights. Mr. Kucharsky recommends adding the northbound approach to the ordinance. There was some work done when the road was designed, which is why the signed approach is there. Lt. Tucker states there were no right on red accidents here, and that there is good visibility at the other approaches. Councilor Stott mentions that some of the light running was due to timing issues in the lights, which was fixed by Mr. Giardi.

North St at Mason St, southbound is not signed or in the ordinance, northeast approach has a sign and is in the ordinance. Lt Tucker states that there have been 5 crashes in 3 years, mostly rear-end. Two were left from Mason to North. There were no right on red crashes.

School St/Orne St at North St, School St approach is in the ordinance and not signed, northbound is not in the ordinance and not signed, southbound is signed and in the ordinance, and the approach from Orne is not in the or signed. Lt . Tucker state that there were 6 collisions in the last three years, no right on red. Mr. Kucharsky and Lt. Tucker think the intersection needs more investigation. The School St approach could be supported for a sign, because of the sightlines and number of pedestrians.

Councilor Merkl asks about intersections where there is no sign but No Right on Red is in the ordinance. How will they decide how to recommend an action. Mr Kucharsky states that the sign may have come down and not put back up, or there may have been some improvements to the intersection to improve conditions. In this case though, there have not been any changes to the street, so it makes sense to put the sign back up.

Councilor Stott states that this is a tricky intersection and needs a broader discussion. She thinks the rules change often, which points to signs coming down. The new design on North Street has changed the turning radius, making right on red more difficult, but it doesn't necessarily mean that it should not be allowed because of backup of traffic on Appleton/Orne. She agrees that from School St, right on red should not be allowed.

Jaime Garmendia states that where Appleton meets Orne, it forces more of a right angle and gives a good sightline down North Street, which makes right on red safer, unless there is a lot of traffic on North Street, which happens often. He doesn't think that adding signage will be helpful from that approach.

He goes on to say that this discussion and approach is very helpful from a public information perspective. It's good for this body to understand the nitty gritty of how the city operates and for the public to see that. He appreciates Councilor Harvey's concern that we may be going a little overboard. He wants to make sure we focus on what we are here for. We have a bunch of ordinances and signs that don't match and the ordinances don't necessarily cover what we want to do now that we have opportunities to make changes. We made some changes from the last meeting and he feels the discussion got back to the right path. He appreciates that the council is willing to go into this and understand how we operate.

Lt .Tucker states that the westbound approach north to Beverly at North Street and Orne Street, is the only one at the intersection he would consider for change. And he suggests that the Commission develop a recommendation for the rest of the downtown lights.

Councilor Morsillo states that she is fine with the Commission meeting first to discuss the downtown lights, and bring back to the Committee a package of all changes discussed so far, plus the recommendations for downtown. Mr. Kucharsky replies that he has several items in the queue for the Commission, but can shuffle them to take this matter up. The Commission meetings can be attended by Councilors and the public for feedback. Councilor Morsillo states that when it comes back to the next meeting, the public will still be able to offer comment and the OLLA Committee can make amendments to the package.

Jaime Garmendia asks about the schedule, and that there is a lot to discuss for downtown. He asks when the next meeting will be scheduled for OLLA. Councilor Morsillo states that the next meeting is dependent on availability of the members of the committee, including the Ward 2 Councilor whose ward covers most of the lights. She understands that the Traffic and Parking Commission is busy, and does not want this to interfere with their work, so we can also just bring it back to the OLLA Committee jointly with the Traffic and Parking, with set recommendations from Dave Kucharsky and Lt. Tucker. Dave's preference is to move forward through the Traffic and Parking Commission.

John Giardi wholeheartedly supports our endeavor in the Committee to work on this difficult matter. He supports a lot of intersections with no right turn on red. A lot need adjustment. We are in a smart signal process, phase 2. Some of the laterations may interfere with the work being done. The smart signals are on the main arteries to move vehicular and pedestrian traffic. (He hands out information on the concurrent signal program for the Councilors and commission.) Going up North Street is one of the main corridors for the concurrent signal project, and Councilor Stott has been very patient. The intersection of North and School, North and Mason, Essex and North St, making them concurrent. Essex and North can be hybrid since they can make it no left turn onto North St. going North. They are working on a pedestrian signal on North at Federal St, which will be ADA compliant. They are adding count down timing signals and overhead lights and approved signage. We need to plan this carefully so that it does not interfere with the smart signals. Wilson at Jefferson will also be a smart signal when installed. He concurs that this Committee should up the ordinances, use proper signage, the road markings are very important including crosswalks. Councilor Morsillo states that this is why he was invited, to understand how the smart signals impact the right-on-red questions.

Councilor Jerzylo asks if the light at Washington St and Derby St is a concurrent light. Mr. Giardi says it is not.

Councilor Stott thanks Mr. Giardi for the information. She says she does not necessarily support not having an exclusive pedestrian light for some of the intersections, but appreciates the time he has put in to creating better timing to have 10-15

seconds of exclusive pedestrian crossing at some of the lights. It is important to continue the conversation about crosswalk timing for the smart signals, especially when cars can take a right on red or are used to flying through. Mr. Giardi explains that the LTI gives pedestrians a few seconds to walk out into the intersection before the light turns green, making them more visible to the cars and helping get them safely across. This is for intersections where the pedestrian signal is at the same time as the green light.

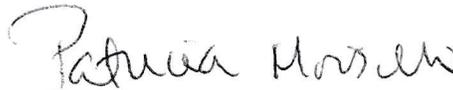
Councilor Merkl thanks all of the invited staff and the Traffic and Parking Commission for their work at the meeting.

Councilor Prosniewski asks Mr. Kucharsky about the Safe Streets for All initiative, and exactly what it entails and how we dovetail this work into that. Mr. Kucharsky explains that as part of the omnibus bill that the federal government passed, the program was created. It is related to Vision Zero, an effort to reduce crashes and fatalities on city streets. The grant will help develop an action plan for various departments when planning projects, looking at signalized intersections. It is similar to the Complete Streets Program but is more robust as it identifies procedures and policies and recommendations for the City to adopt. It is a lengthy process and we will have a consultant on board to help facilitate the outreach with the Council the Commission, department heads and the public. There will be a stakeholder committee to develop the action plan, and once the plan is adopted, it will allow the City to apply for future Federal grants to implement some of the things identified in the plan.

Councilor Watson-Felt moves to keep the item in committee, seconded by Councilor Davis. The motion carries 4-0.

on the motion of C. Watson-Felt the OLLA meeting adjourned at 7:45 P.M.

On the motion of Brendan Casey, seconded by Erin Turowski, the Traffic and Parking Commission adjourned at 7:45 PM.



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(Chairperson)