

**CITY OF NEWARK  
Newark, Delaware**

**TRAFFIC COMMITTEE MEETING  
May 15, 2007  
3:30 p.m.**

**Members Present:** Roy Lopata, Tom Sciulli, Rich Lapointe, Tom Parkins, Carol Houck, Dave Gula, Rick Vitelli.

**Absent:** Capt. John Potts, Susan Lamblack, Lt. Susan Poley

**Guests:** David Athey, City of Newark Council Member  
Maureen Feeney Roser, Assistant Planning Director, City of Newark  
Heather Dunigan, WILMAPCO  
Jack Billingsley, Newark resident  
Pat Evans, Landenberg, PA  
Rev. Lonnie Rector, Pilgrim Baptist Church  
Dennis Washington, Pilgrim Baptist Church  
Joe Murphy, Pilgrim Baptist Church  
Melvin Phice, Pilgrim Baptist Church  
Dorothy Crain, Pilgrim Baptist Church  
James Crain, Pilgrim Baptist Church  
James Davis, Pilgrim Baptist Church  
Wayne Hinmon, Pilgrim Baptist Church

Roy Lopata announced that he had been asked to chair the meeting today due to Capt. Potts' absence. Because of the number of guests from Pilgrim Baptist Church, Mr. Lopata suggested moving the discussion regarding their request for a crosswalk to the top of the agenda.

**1. REVIEW REQUEST FOR A CROSSWALK AND CAUTION LIGHT ON  
BARKSDALE ROAD AT PILGRIM BAPTIST CHURCH.**

Mr. Lopata said that Capt. Potts received an email from the Rev. Lonnie Rector, Pastor of Pilgrim Baptist Church on Barksdale Road, requesting a crosswalk and caution light at the Church entrance. Mr. Lopata asked if someone from the Church would like to comment on the request. Rev. Rector indicated that there is a lot of congestion on Barksdale Road during the Church service, and speeding is an issue. He stated that members of the congregation assist with traffic direction for cars entering and exiting the parking lot, but stated that they do not stop traffic to do this. Rev. Rector said that there has been vandalism damage to their mailbox and two bullet holes in their van. The people directing traffic have also been subjected to harassment and obscenities.

Mr. Lopata explained that cars park on both sides of Barksdale Road during Church services, which creates some congestion and makes it difficult for pedestrians to cross the street. He explained to Rev. Rector that the Traffic Committee will have to do some research on traffic counts, speed and accident history. Once the Traffic Committee reviews the data, the members would decide whether to forward the request to DelDOT. Rev. Rector said he is aware of radar enforcement that was conducted in this area for about a month, and the average speed was 49 mph. Mr. Lapointe suggested that the Police Department put the traffic classifier on Barksdale Road to obtain traffic counts and the speed of vehicles. Mr. Gula asked about the size of the congregation, and Rev. Rector said they have between 400 and 500 members.

Tom Sciulli asked about the caution light and whether it would be a yellow flashing light on a wire that would span the roadway. Carol Houck said it would more than likely be similar to the poles that were placed at the curb in front of the Newark Day Nursery when the Newark Charter School had their trailers on Barksdale Road.

Mr. Lopata will ask Capt. Potts to follow up on the traffic classifier and obtain the accident history, and this item will be placed on the June Traffic Committee agenda for further discussion. The guests thanked Mr. Lopata and left the meeting.

## **2. REVIEW SPEED LIMIT ON NOTTINGHAM ROAD.**

Mr. Lopata said that Mayor Funk asked that the Traffic Committee review the speed limit sign on Nottingham Road in the vicinity of Bent Lane and Radcliffe Drive. The 25 mph speed limit east on Nottingham Road begins near Bent Lane. Traveling westbound on Nottingham Road, the 35 mph zone begins just west of Radcliffe Drive. Mr. Lopata said as he understands it, this is a question of the signs not being aligned correctly. Mr. Lapointe said that the City Code now states that the speed limit is 25 mph westbound on Nottingham Road to Bent Lane where it changes to 35 mph. The Code should be changed so that the 25 mph zone extends westbound to Radcliffe Drive. He said the signs should be aligned eastbound and westbound with an advanced "speed reduction" sign.

**MOTION BY RICH LAPOINTE, SECONDED BY ROY LOPATA, TO RECOMMEND THAT THE CITY CODE BE AMENDED SO THAT THE SPEED LIMIT ON NOTTINGHAM ROAD IS 35 MPH WESTBOUND AND 25 MPH EASTBOUND AT RADCLIFFE DRIVE.**

**MOTION PASSED. VOTE: 7 TO 0.**

### **3. CITIZEN TRAFFIC COMPLAINT**

Mr. Lopata recognized Ms. Pat Evans of Landenberg, PA, and asked her to explain to the Traffic Committee why she is here today. Ms. Evans stated that she has contacted DelDOT to complain about the traffic signals at New London Road and Cleveland Avenue and West Main Street and Hillside Road. She did not receive any satisfaction from DelDOT and is now asking the Traffic Committee to address her concerns. She said that very few cars make the left turn from New London onto Cleveland Avenue before the signal changes. Ms. Evans said the left-turn signal at Library Avenue and Cleveland Avenue backs up traffic. She also complained about the congestion at the traffic signal at Cleveland Avenue and Chapel Street.

Mr. Lopata said that DelDOT controls the traffic signals on state roads and occasionally the timing for the cycles is thrown off. Mr. Lopata told Ms. Evans that the Traffic Committee would look into her complaint. She thanked the members and left the meeting.

### **4. FINALIZE REVIEW OF TRAFFIC CALMING AD HOC COMMITTEE REPORT.**

Mr. Lopata said he distributed a memo to the Traffic Committee members outlining his suggestions for language changes to the Newark Traffic Calming Ad Hoc Report. His suggestions are as follows:

- Amend Section 1.d. by adding the following sentence: “Households are to be defined as owner occupant dwellings, and if the units are rented, they are to be defined as the property owner.”
- The first sentence in item 3. should be revised by deleting the reference to “stakeholders – residents, renters and property owners – “ and substitute the phrase, “households.” Each reference to “stakeholders” should be changed to “households” as noted in item 1.d. above.
- Item 5. – delete reference to “50 percent of the ballots must be returned,” and state that, “for approval, 51 percent of the households in the study area must respond in favor of the conceptual design.”
- Delete the reference to “Main Street” from the “pilot” projects.

Mr. Lopata suggested adding another sentence to Item 5 saying the conceptual design should be forwarded to City Council for approval, and a final sentence stating: “Council, however, may also approve a conceptual design for a project with less than 51% household approval upon request from the households in the study area.” Mr. Lopata said that the Traffic Committee is advisory, and Council should have the ability to approve a project with less than the 51% approval.

Ms. Dunigan of WILMAPCO said that the Traffic Calming Committee did not want to make it too easy and did not want a project to move forward with a significant amount of apathy on the part of the residents. Council Member Athey said that a

survey was conducted on Kells Avenue several years ago, and the response varied by block, but the residents who responded were overwhelmingly in favor. He said that in the previous study, the apathetic people negated those who were in favor of a traffic calming project. He understands that if the threshold is too low, one-third of the residents could dictate what happens on the street. However, he would like to see a mechanism in place so that if there is a relatively decent majority in favor of traffic calming, the apathetic aspect does not negate them.

Mr. Lapointe said the original Old Newark Traffic Calming Study required 67% of the people affected had to respond to initiate a study. He said that is now lowered to 50% in the current study and only 67% of those responding have to be in favor, which translates to 33% instead of 51%, so the threshold is lower. After further discussion, Mr. Lopata said he would agree to delete his suggestion to change the percentage in Item 5. The members did not feel it was necessary to add the sentence to Item 5 concerning Council approval. Mr. Lapointe said the ad hoc Committee is establishing criteria for warranting traffic calming, and City Council could change anything at any time in the future if they so desire. The members agreed to recommend the first two bulleted items in Mr. Lopata's memorandum regarding language changes.

Mr. Vitelli asked who would be responsible for project design, and Mr. Lapointe said there would be a Committee possibly comprised of City personnel, DelDOT, residents from the community, and WILMAPCO.

Council Member Athey asked for clarification of a paragraph on the first page of the report that states that the ad hoc Committee recommends that the City look at red light cameras as well other items listed. He asked if there is any intent to implement these items. Ms. Dunigan said the Committee is recommending the items listed be added to the traditional "tool box" of traffic calming measures.

**MOTION BY DAVE GULA, SECONDED BY CAROL HOUCK, TO RECOMMEND THAT THE NEWARK TRAFFIC CALMING AD HOC COMMITTEE REPORT BE FORWARDED TO CITY COUNCIL WITH THE FOLLOWING AMENDMENTS: ADD THE SUGGESTED SENTENCE TO ITEM 1.d, CHANGE THE WORD "STAKEHOLDERS" TO "HOUSEHOLDS," AND DELETE "MAIN STREET" FROM THE LIST OF "PILOT" PROJECTS, IF IN FACT THERE IS A PROJECT IN PROGRESS THAT WILL ADDRESS TRAFFIC CALMING ON MAIN STREET.**

**MOTION PASSED. VOTE: 7 TO 0.**

Council Member Athey said he spoke with Mike Somers of DelDOT about traffic calming issues, and it is too late to do anything with South College since it will be repaved this summer. Council Member Athey is, however, going to introduce a resolution at a Council meeting requesting that DelDOT do a planned study of

South College Avenue in the future to address traffic calming. Mr. Somers indicated that his first opportunity would probably be FY 2009, or after July of 2008. Council Member Athey said that the Traffic Committee would more than likely be involved in such a study, and he wanted the members to know that this would be on the horizon.

**5. DISCUSS PEDESTRIAN SIGNS POSTED ON DELAWARE AVENUE, MAIN STREET AND CLEVELAND AVENUE.**

Mr. Lapointe said that DelDOT has notified him that the red and white “Stop for Pedestrians in Crosswalk” signs posted at crosswalks on Delaware Avenue, Main Street, and Cleveland Avenue” are illegal. The signs have to be removed and replaced with signs that read, “Yield to Pedestrians in Crosswalk,” or the Traffic Committee could make a recommendation to adopt an ordinance stating that vehicles must stop for pedestrians in crosswalks in the City of Newark.

Mr. Gula said he would be in favor of changing all signs in the City from “yield” to “stop.” He said often times in situations where there are two lanes of traffic, one lane of traffic stops for a pedestrian, and the second lane does not. He does not feel that the motorist should have the right of way. Mr. Lapointe stated that Don Weber of DelDOT said that state law does not give pedestrians the right of way, and if a pedestrian steps out in front of a car, the pedestrian is at fault.

**MOTION BY DAVE GULA TO AMEND THE CITY CODE TO MAKE IT A LAW IN THE CITY OF NEWARK THAT MOTORISTS MUST STOP FOR PEDESTRIANS IN CROSSWALKS.**

The motion failed for lack of a second.

**MOTION BY RICK VITELLI, SECONDED BY CAROL HOUCK, TO CHANGE “STOP” FOR PEDESTRIAN SIGNS TO “YIELD” TO CONFORM WITH THE STATE LAW.**

**MOTION PASSED: VOTE: 6 TO 1.**

**AYE: Roy Lopata, Tom Sciulli, Rick Vitelli, Carol Houck, Tom Parkins, Rich Lapointe**

**NAY: Dave Gula**

Mr. Lapointe said that this motion does not require any action on the part of City Council; however, Council initiated the “stop” signs, and he recommended that a letter be sent to the City Manager advising of the Traffic Committee’s action.

**6. DISCUSS PROPOSED MURAL ON DELAWARE AVENUE S-TURN CONCRETE ABUTMENT.**

Maureen Feeney Roser, Assistant Planning Director, stated that she was here on behalf of the Downtown Newark Partnership Design Committee. The Committee has proposed painting a mural on the concrete barrier along the S-turn on Delaware Avenue. She said this would serve as an anti-graffiti measure, and improve the aesthetics of the area, which will soon house the State owned and operated transit hub and will be within view of the Pomeroy Branch bikeway. The Committee hired an artist to do a conceptual floral drawing with writing saying "Please Drive Safely." This was forwarded to DelDOT for approval; however, it was rejected because DelDOT said that the design disguised the concrete abutment and made it appear to be a soft barrier.

The Design Committee looked at other walls in the area constructed by DelDOT that have the look of stone. They presented a conceptual drawing of a stonewall to DelDOT, which was again rejected by the engineer. The Committee contacted the engineer's supervisor who met Committee members at the site. He suggested that if the Committee could obtain a letter from a professional engineer or someone similarly credentialed that states that painting the concrete abutment to look like a stonewall as opposed to a concrete wall would not increase the risk of accidents at the site then he would work with the Committee to get approval.

Ms. Roser displayed an artist's rendition of the stonewall and said the Committee feels that the contrasting colors of the stone would make the abutment more noticeable. The Downtown Newark Partnership believes this is a good project, which will improve the appearance of the area, and Ms. Roser said the Design Committee thought it would be appropriate to submit the concept to the Traffic Committee for discussion and direction.

Mr. Lapointe said that he is not a traffic engineer and that DelDOT should do the letter. Ms. Roser said that DelDOT is requiring the Downtown Newark Partnership to provide the letter to them. The members discussed the proposal and possible options for the Downtown Newark Partnership to obtain such a letter.

**MOTION BY ROY LOPATA, SECONDED BY DAVE GULA, TO SEND DELDOT A LETTER UNDER THE SIGNATURE OF THE CHAIRMAN OF THE TRAFFIC COMMITTEE STATING THAT THE TRAFFIC COMMITTEE BELIEVES THAT THE S-TURN MURAL WILL NOT DECREASE THE SAFETY OF THE EXISTING S-TURN ABUTMENT ON DELAWARE AVENUE.**

**MOTION PASSED. VOTE: 5 TO 7.**

**AYE: Roy Lopata, Tom Sciulli, Carol Houck, Tom Parkins, Dave Gula**

**NAY: Rich Lapointe, Rick Vitelli**

Mr. Lopata said that DelDOT still has to approve the project once the letter is received, so essentially the liability, if any, would be shared. It was suggested that the Downtown Newark Partnership reference other areas where murals have been done. Mr. Parkins said that DelDOT should be aware that the graffiti on the abutment is very distracting.

There being no further business, Mr. Lopata called for a motion to adjourn.

**MOTION BY RICK VITELLI, SCONDED BY ROY LOPATA, TO ADJOURN.**

**MOTION PASSED. VOTE: 7 TO 0.**

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Roy Lopata, Chairman