

Public Works Subcommittee Minutes

Meeting: October 24, 2024

Place: Harvey Hearing Room

Attendance:

Councilor Max Tassinari,

Councilor, Suzanne Swope (chair)

Councilor Rob DeMarco : absent

Public: In person:

Steve Calla, Director of DPW

Mary Mitchell, Resident

On Zoom: Gina Edgett, owner of 76 Summit, Eugene Kucinski, Esq

Roll call taken

Minutes of previous meeting approved:

Public Comment:

Mary Mitchell suggested that we identify, preserve and maintain walkways as an important part of Winthrop's history.

Attorney Eugene Kucinski reiterated the clients' reasons for their request to turn over the easement on their property back to them and their intent to put a driveway on it.

Gina Edgett showed the Committee on video the current walkway and their plans with their neighbor to make it into a driveway.

The Committee and Director of DPW discussed the possibilities. The Chair indicated that the police had given more parking tickets on these streets over the years, except during COVID. The hypothesis is that there may be more residents, as single-family homes change to multifamily homes, and new apartments have been constructed.

The police did not find reports of any crime for the last five years on Summit, but will investigate if a particular date can be identified. The abutters on Summit however, had indicated drug use and loitering and were asked to provide evidence for the record .

Director Calla gave an estimate to repair the entire pathway which was over \$150,000. This is an estimate, an engineering report would need to be provided to determine

actual cost. For the last two years, the abutters have requested that they be allowed to turn this path into a driveway.

Councilor Tassinari moved that the town release the pathway to the end of the abutter's driveway. The Chair seconded the motion and it passed. The abutters will assume the cost as the town is not responsible for repairs on the pathways as a condition of the release.

The Chair hoped the abutters, who would be cutting a healthy tree on their property, would voluntarily plant another tree. (This is not a requirement in the decision).

Director Calla indicated that the entire path from Summit to Sagamore be closed due to the disrepair of the steps and railings. Chair will ask that the abutters on Sagamore be notified by the Town Clerk before any action take place.

The Chair will discuss with Attorney Cipoletta and the Town Manager the next steps.

Both Councilor Tassinari and the Chair made it clear that this decision does not set a precedent. The Committee requests that:

- Signage be placed on the pathways so as to identify them. If there is repair that cannot be completed due to budget, a sign that says "travel at your own risk," might be a good idea to eliminate liability for ice and snow as well as for stair disrepair. In addition, the lack of lighting on pathways makes travel on some of them a challenge at night.
- The Chair asked that the Town Manager with Director of DPW develop a complete list of public held pathways, maintain them and identify any of these pathways that create a liability that cannot be resolved. If the Town Manager approves, the Committee with the Director of the DPW will attempt to set criteria for determining whether a pathway owned by the town could/should be released.

Handouts included:

- Minutes of previous meeting
- List of parking tickets over the last five years on Summit, Sagamore, Hutchinson (List on Crest Ave. included later by Chair).
- Description from Mr. Diluiso regarding data collection process of tickets.
- Atty. Cipoletti's memo regarding process for abandonment of rights in easements

In an email to the Chair, Councilor Aiello suggested that the Chair determine pathways on Veterans that may have been sold to a private party and the payment received for each. The Chair will follow-up.

Respectfully submitted,

Suzanne Swope, Chair of the Public Safety Committee