

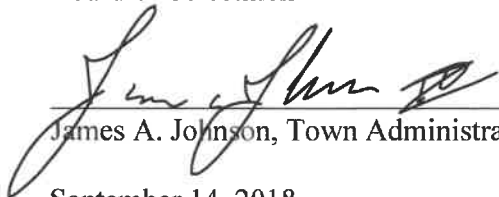


TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS

Walpole Town Hall
135 School Street
Walpole, MA 02081
Phone (508) 660-7304
Fax (508) 660-7303

To: Board of Selectmen

From:


James A. Johnson, Town Administrator

Date: September 14, 2018

Re: Foxboro Pilot update

I would like to take this opportunity to provide the Board with an update regarding the Foxboro PILOT program. Earlier this week I received an update from Trish Foley who serves as the Government & Public Affairs Liaison for MBTA. Trish apologized for the slow response to my August 31st request and explained to me that it took her some time to get answers from senior Officials at the MBTA and MassDOT. Below you will find my questions/comments and her responses:

Speed Limit Request - As you know the Walpole Police Chief and I have been advocating for a reduced speed limit to 15mph for some time and the last response I received stated, "*your request for MBTA to slow trains to 15 mph was thoroughly vetted within the MBTA at the highest levels.*" I questioned who this request was vetted by and voiced concerns that Walpole was never given the opportunity to come before any boards or officials to make our case for a reduced speed limit. I also questioned who the Town of Walpole needs to speak to about reducing the speed limit. I further stated that I truly think it is not unreasonable to advocate for such a limit on a short span (8/10 of a mile) of track.

Response: The MBTA as an organization has a significant amount of experience when reviewing and considering operations over at grade crossings. The commuter rail system has more than 300 at grade crossings of roadways where there are both higher and lower levels of motor vehicle traffic. The MBTA operates 509 trains per day and each of these trains cross varying numbers of roadways all at speeds greater than 15 MPH. There is no crossing anywhere on the commuter rail system with a required speed of only 15 MPH. Grade crossing safety is provided by warning systems and the motorist willingness to heed those warnings.

Summer St. Crossing – I questioned the status of the gates as the Summer St. crossing. I explained to MassDOT that some residents have taken to Facebook and other social media outlets and there are now rumors floating out there that the gates are not going to be installed. I requested an email confirmation from an official at MassDOT specifically stating that the gates will be installed and when they will be installed.

Response: The crossing warning system at the Summer Street roadway at-grade crossing are part of a new construction project has yet to be awarded. The work will most likely happen in early Spring of 2019 due to the long lead times to procure this type of equipment. Current schedule will be to install conduit and other items that are installed in the ground before the winter frost sets in. This will allow the work to start early if the more technical items show up before spring. Residents may see work start early but it will be into 2019 before it can be completed. The important thing to know is that the warning system will be installed prior to the start of the pilot service

Fencing – I asked when the fencing will begin to go up in the areas that MASSDOT has identified along the tracks in Walpole.

Response: *There is no fencing as part of the preparation for the pilot service but MBTA/MassDOT has committed to installing fence at certain locations along the track in Walpole. However the start of fence installation will begin this week with staking and clearing the intended fence installation alignment. The fence along the backs of the homes on Spring Street will be approximately one foot inside the MassDOT property Line. The fence will run from the commuter rail parking lot on Spring St to the Route 1A Bridge.*

The fence along the tracks and behind the homes on Audubon Drive will be about one foot inside the MassDOT property line. This fence will run from the Route 1A Bridge up to the point the fence reaches the power line easement.

At the request of the town manager an additional 2060' of fencing will be installed behind the homes on Shufelt Street approximately 1 foot inside the MassDOT property line. This segment of fencing will run from Summer Street crossing to the near side of the Route 1 Bridge. Guardrail will be installed along the South Walpole post office driveway and parking area to keep cars away from the tracks.

PILOT Start Date – I asked MassDOT to provide me with a projected date as to when the PILOT is set to begin.

Response: *The Pilot Service has always been, and still is, planned to begin on or about May 19, 2019. This date assumes that progress has been completed and the unknowns of the winter weather could cause an adjustment but to a later date but not an earlier one.*

Community Outreach – I explained to MassDot that it would go a long way if they improved communication and transparency with the Town. I also asked them if they would be willing to hold an outreach session in South Walpole and assign a specific person at your agency for people to contact.

Response: *One key aspect of this pilot is going to be our efforts to educate and make people aware of this service. We will likely begin doing this towards the end of this year or very early next year. This will be done through our own channels – social media, digital panels, local newspapers, just to name a few. Please encourage people to contact the MBTA's Customer Service Department via email/phone to log complaints or if they have questions. Click on this link to access all the contact #'s <https://www.mbta.com/customer-support?from=global-search&query=customer%20service&facets=> Also, we encourage folks to visit the MBTA's website www.mbta.com search "Foxboro Pilot" for more information on what has been presented at all our public meetings with regards to the pilot.*

Trish indicated to me they may be willing to send a representative from MassDOT to a Selectmen's meeting later on this fall but she had to run my request by Senior Officials at the MBTA and MassDOT before she committed to anything.

Chairman Gallivan has submitted the attached letter to Governor Baker requesting his assistance in this matter. I have asked Walpole's State delegation to continue to help the Town with this difficult situation. Furthermore, I have been in contact with Robert Balua with the Federal Railroad Administration and Congressman Lynch's office and I have outlined the Town's concerns to them and asked that they intervene however possible. I will continue to advocate for these items and all of the other requests that have been submitted in the past.

Please let me know if you have any questions once you have reviewed this document and the attached information.

c.c. Town Website



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Walpole Town Hall
135 School Street
Walpole, MA 02081
Phone (508) 660-7289
Fax (508) 660-7303
Email: JJohnson@walpole-ma.gov

September 14, 2018

Honorable Charlie Baker
Governor of the Commonwealth
Massachusetts State House
Office of the Governor/Room 280
Boston, MA 02133

Re: Foxborough PILOT Commuter Rail Service

Dear Governor Baker:

I am writing to you on behalf of the Walpole Board of Selectmen to request your assistance with proposed Foxborough PILOT Commuter Rail Service. The Town of Walpole has been unsuccessful in our efforts with officials from the Massachusetts Department of Transportation (MassDOT). The Town has repeatedly asked MassDOT to provide basic information to Town officials and take reasonable steps to ensure that the public safety of the residents who live in and around the area. To date the Town's repeated inquires and requests have gone ignored. We have asked Walpole's State delegation to make the same requests to officials at MassDOT and it is the Town's understanding that their requests have also been ignored.

Walpole is now asking your office to intervene in this situation and compel MassDOT to respond to Walpole's request. What we are asking is not unrealistic and would go a long way to ensure that the Walpole Board of Selectmen are doing our job as elected officials.

Specifically Walpole has asked the following questions:

1. Reduced Speed Limit - Walpole Police Chief John Carmichael and Town Administrator Jim Johnson have repeatedly asked MassDOT to agree to a speed limit of 15mph from the point where the train is set to leave Gillette Stadium to the Walpole Center train station which is just 8/10 of a mile away from each location. MassDOT has advised both officials that, "your request for MBTA to slow trains to 15 mph was thoroughly vetted within the MBTA at the highest levels." Repeated request regarding which officials have vetted this request have gone ignored. Walpole was never given the opportunity to come before any boards or officials to make our case for a reduced speed limit. It is not unreasonable to advocate for such a limit on a short span (8/10 of a mile) of track. Chief Carmichael even went so far as to have his crash reconstructionist conduct a report relative to the Summer Street MBTA crossing to perform some time distance analysis. While crash reconstructionist was there another Mass-DOT contractor mentioned the 40mph speed limit at the grade level crossing.

The regulations require gates to be deployed 20 seconds prior to the train reaching the intersection, and the gate must be in the down position for (5) seconds before the train enters the intersection.

At 40mph, the train would be 1100(+) feet from the intersection. At that distance coming from Walpole center towards Gillette the engineer has no sight distance to the crossing. On the other side they would (as depicted in photographs).

Since the gate would need to be down for 5 seconds prior to the train passing, the train would be at 290(+) feet from crossing..

The issue identified here is that if there is a problem at the crossing, a vehicle stuck, a child falling off their bike, a malfunction with gates, etc, there is not a lot of reaction time before tragedy can strike. Depending on the load of the train, at 40mph, it will take (estimated 400-600) feet for the train to stop. Attached you will find a copy of the report for your consideration.

2. Crossing Gates at the Summer St. Crossing – Town officials have asked on multiple occasions for a status update on the crossing gates at the new crossing on Summer St. in Walpole. The Town wants to know when the gates are going to be installed. Residents have taken to Facebook and other social media outlets and there are now rumors floating out there that the gates are not going to be installed. Town officials have no direct answers for the residents because MassDOT has not responded to our repeated requests asking when the gates will be installed and when the crossing will be completed.
3. Community Outreach – MassDOT has been asked multiple times by the Town Administrator to hold a community outreach session in South Walpole and assign a specific person at their agency to serve as a point person for the PILOT. MassDOT has been unresponsive to this request. It is extremely frustrating to the Board of Selectmen as the chief elected officials in our community to have to continue to deal with questions about this PILOT when the Town of Walpole has been completely excluded from any decision making. People continue to come to this Office and The Board of Selectmen for questions and complaints and we can simply tell them that we have asked for something but we have not received a response yet.

MassDOT has told the Town that they will make, “efforts to educate and make people aware of this service....this will be done through our own channels – social media, digital panels” and they have encouraged people to contact the MBTA’s Customer Service Department via email/phone to log complaints or if they have questions. However they have not provided the Town with a specific person for concerned residents to contact and they have not committed to a specific meeting date.

Over the last few years MassDOT officials have told us they are willing to communicate with the Town of Walpole and allow the process with this new PILOT to be as transparent as possible. This has not been the case and we are now forced to turn to you for assistance in this matter. Thank you for your time and consideration regarding this urgent matter.

Sincerely,



Mark Gallivan, Chairman
Walpole Board of Selectmen

- c.c. MASSDOT Board of Directors
MBTA Financial Oversight Board
State Senator Paul Feeney
State Representative Lou Kafka
State Representative John Rogers
State Representative Paul McMurtry
State Representative Shawn Dooley



John F. Carmichael Jr.
Chief of Police

WALPOLE POLICE DEPARTMENT

• **TOWN OF WALPOLE** •
COMMONWEALTH OF MASSACHUSETTS



972 Main Street
Walpole, Massachusetts 02081
Phone: 508.668.1095
Fax: 508.668.0531

August 16, 2018

Chief Carmichael,

As per your request, I went today to the Summer Street grade crossing to perform a visibility assessment for the train's engineer when they are approaching the crossing. While I was there, I met Mark O'Hara, a railroad consultant hired by Mass DOT. Mr. O'Hara informed me that the commuter rail will not be starting until May of 2019. In addition to the improvements recently made at the crossing, new railroad crossing gates will be installed along with a warning system for pedestrians. While the speed limit for the crossing has not been formally established, he told me that the speed of the commuter rail trains passing through the crossing could be as high as 40 M.P.H.

The Manual On Uniform Traffic Control Devices (MUTCD) addresses railroad grade crossing. In Section 8C.04, it states that the gate arm must be in the horizontal position at least 5 seconds before the arrival of train traffic and shall remain in the down position as long as the rail traffic occupies the grade crossing. If the train were traveling at 40 M.P.H., the train would be 293.20 feet from the crossing at the point 5 seconds before the train arrived at the crossing.

In section 8C.08 of the MUTCD, the flashing signals shall operate for at least 20 seconds before the arrival of any train traffic, except in the case where the rail traffic operates at a speed less than 20 M.P.H. and where road users are directed by an authorized person on the ground to not enter the crossing. Essentially, in this scenario, a police officer would need to be positioned at the crossing to stop vehicle traffic and the speed of the train would need to be less than 20 M.P.H. At a speed of 40 M.P.H., the train would be 1172.80 feet from the crossing 20 seconds before it reached the crossing.

The following photographs were taken from various locations at the Summer Street crossing:

1. Photograph #1: Engineer's perspective looking north 293 feet from south of the crossing.



Photograph #1

2. Photograph #2: Engineer's perspective looking north 1172 feet from south of the crossing.



Photograph #2

3. Photograph #3: Engineer's perspective looking south 293 feet from north of the crossing.



Photograph #3

4. Photograph #4: Engineer's perspective looking south 1172 feet from north of the crossing.



Photograph #4

In the first three photographs, the train engineer will be able to see the crossing from the point where the crossing gate should be activated and in the place. In Photograph #4, the engineer will not be able to see the crossing due to the curve in the tracks leading up to the crossing.

While I was speaking to Mr. O'Hara, I asked him how far away would the train be when the crossing lights and gate would be activated. He stated that there are sensors in the rails which take into account the train's speed and location and would then activate the crossing lights and gate at a minimum of 20 seconds before the train arrived at the crossing. He also mentioned that the crossing gate could be activated at a time more than the 20 seconds required by the MUTCD.

The other issue is what if there is an emergency at the crossing and the train has to activate its emergency brakes. While I can't calculate the actual stopping distance needed to stop at 40 M.P.H. (this would require knowing the numbers of cars in the train, the weight and the time delay of the emergency brake being activated on all the cars), trains traditionally require much more stopping distance than a motor vehicle due to the lack of friction between the metal wheel and the metal rails. The required stopping distance in an emergency would be considerably more than what has been depicted in the above photographs.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephen J. Foley', with a large, stylized flourish at the end.

Stephen J. Foley
Patrolman