

**MADISON DEPARTMENT OF POLICE SERVICES  
REGULAR MEETING – July 9, 2009  
9 CAMPUS DRIVE, MADISON– 7:30 PM**

Attendees: Vice-Chairman David Smith, Commissioner Edward Kritzman, Commissioner Larry Moon; Commissioner Garry Gyenizs, Acting Chief Robert Nolan

Absent: Chairman Emile Geisenheimer

Also Present: Town Attorney Floyd Dugas; First Selectman Al Goldberg; members of the public; Lt. Allen Gerard; Town Engineer Mike Ott

**REGULAR SESSION**

The July 9, 2009 Regular Meeting was called to order at 7:37 PM by Vice Chairman Smith. He asked that all rise to recite the Pledge of Allegiance.

**MOTION** by Gyenizs, second by Moon to move Executive Session further in the meeting pending the arrival of Town Attorney Dugas.

**PUBLIC COMMENTS**

Dick Benson - Milo Drive off Colonial voiced his concern about the traffic off Rte. 79 onto Overbrook and the intersection at Colonial. He cited what he perceived to be hazards of no sight line and the speed with which cars come down Overbrook to get on Rte. 79. The Town cut bushes and trees so the sight line is opened up to see traffic coming down Overbrook. A remaining problem is the people contiguous to the corner planted Christmas trees; the trees were left by the Town but he feels they need to go. Suggested a clean out and a stop sign so speed is reduced coming down Overbrook.

Another resident of Milo Dr. noted the cars driving south on Overbrook are moving at a good clip; feels the intersection for the person turning left off Overbrook to Colonial is dangerous Drivers hug the center line to make the curve.

Both gentlemen were thanked by Vice Chairman Smith for their comments.

**CONSENT AGENDA – CHIEF’S REPORTS**

**MOTION** by Kritzman, second by Gyenizs, to accept minutes of the June 18, 2009 Regular Meeting and the June 30, 2009 Special Meeting Commission Kritzman noted he made some non-substantive changes to the original minutes; the amended minutes were circulated and approved. All in favor. None Opposed. So moved.

Acting Chief Nolan reported that financially we are doing very well.

He thanked the Clinton Police Department and four of its officers who assisted during the July 4 parade. He said they looked great and did a great job. Vice Chairman Smith asked that the Board’s appreciation be extended to the Clinton chief. Acting Chief Nolan continued, everything went well with the fireworks and concert. The State’s holiday statistics showed we are one of the most active for traffic enforcement in the state. We are doing as well as the larger departments, which indicates our officers are doing their job.

There will be extended training to recertify several officers for child seat installments; one officer from each of 2 shifts. There will be additional training for driving recertification.

**MOTION** by Kritzman, second by Moon to accept the Chief’s Report. All in favor. None opposed. So moved.

**COMMITTEE REPORTS** - None.

**OLD BUSINESS**

- **Recruitment Status**

Acting Chief Nolan reported that hopefully we will have a potential officer to the commission within the next couple of weeks; doing background on a second officer. They are both lateral moves – one from the state police; one from Washington DC. They will come in at different times; the Washington DC officer is a month down the road. The retired state trooper should be ready to come to work within the next couple of weeks, at the latest.

He concluded, we are continuing to interview; we are currently short 3 officers.

- **Citizens' Police Academy**

Commissioner Kritzman thinks the Academy is not a policy issue as much as a management issue for the Chief as to whether or not we have the resources and time and he recommends that we leave this to the discretion of the chief. Chief Nolan said he has no problem with the Academy and will be more than happy to review it for the most appropriate time to start. Commissioner Kritzman said if we are going to offer the Academy he would like to select a date and move forward.

**MOTION** by Kritzman, second by Gyenizs that the decision about the Citizens' Police Academy, its time and agenda and all the elements of the program should be at the discretion of the Chief. All in favor. None opposed. So moved.

- **Contract Re-Opener Negotiating Team**

Chief Nolan confirmed the members of the Commission who are on the team (Commissioners Smith and Moon) and said the negotiations are moving forward. Mr. Goldberg said the union president indicated we should talk to the current union. At this point the only outstanding thing is the timing and to contact Union Rep. Ron Suraci to align a time to open. We will know when we coordinate it with our team and the attorney. Commissioner Kritzman asked when we would discuss with the balance of the commission as to what the objectives might be and if it is held in public or executive session so the Commission has an idea of direction. Chief Nolan said because we are negotiating he feels the commissioners should be briefed in executive session. Vice Chairman Smith said that will be deferred to Atty Dugas. Commissioner Moon clarified, this is what is called a re-opener; the contract runs to 2012. There was phraseology that the contract could be opened to discuss salary only. Vice Chairman Smith said because of the drug & alcohol policy re-opener if they elected to move forward with salary and drug & alcohol testing. Other things may come up, but discussion is scheduled for these two items. Atty. Dugas will brief the team on the negotiation goals for the town.

**NEW BUSINESS**

- **Appointment: Personnel Search Committee**

Vice Chairman Smith explained this is the appointment of the Personnel Search Committee to be used in the search process for a new chief of police as we identify the requirements and fill the position vacated by Chief Jakubson and in anticipation of Chief Nolan's departure.

Commissioner Kritzman suggested it be appropriate if all members of the Police Commission be designated as members of the Personnel Search Committee, subject to being able to consider appointing additional members. Vice Chairman Smith asked for discussion of the comment.

**MOTION** by Gyenizs that all members of the Board of Police Commission constitute the Personnel Search Committee and the Committee, at its discretion, may add additional members. Vice Chairman Smith discussed the mechanics by which the search committee would entertain the notion of adding additional members if required. Commissioner Kritzman said the committee could discuss this and add by vote as needed.

**MOTION** to amend the previous motion which is on the table by Kritzman that additional members may be added at the discretion of the majority vote of the Board of Police Commission. Second by Gyenizs. All in favor. None opposed. So moved.

- **Overbrook Road Traffic Pattern**

Mike Ott, Town Engineer, asked that the Commission entertain the comments of Mrs. Barrett (11 Colonial Road) relative to Overbrook Road. She said after 18 months living in the area and Lt Dobbins's help relative to the corner of Overbrook and Colonial there seems to be no solution to the problem turning left on to Colonial.

She said Mr. Ott tried to rectify within reason a cost effective solution. He pruned the corner to allow for a safe turn – a good temporary solution. She is representing her neighborhood community for traffic calming on Overbrook and the parts of Warpas that relate to Colonial. She voiced her appreciation and asked for solutions to calm traffic from Overbrook and Colonial onto Warpas and added, she feels from Warpas to Colonial the trees need trimming because you can't see the oncoming cars on Warpas. She expressed her appreciation for what has been done to date

Mike Ott said in the long-range plan, Overbrook is the next town road reconstruction project; part of the project involves realigning the Overbrook/Colonial intersection. The plan is to come off 79 onto Overbrook and come back up; when approaching the curve to turn right, the intersection will become a standard intersection with a stop sign. People will be able to see easier and those from Overbrook from the south won't be able to take the wide curve; they will have to take a left to go to Rte 79 because it will be a 90 degree intersection. He is hoping this will be a fall or spring construction project; looking at the intersection of Overbrook and Opening Hill for realignment. Recently cleared vegetation on traffic control signs, stop signs at the intersection – there is more to do but those are the plans for Overbrook area. When asked by Vice Chairman Smith if we can take other measures in the interim, Mr. Ott said there will be more vegetation clearing. The appropriate traffic control signs are up; what Mrs. Barrett mentioned about traffic calming is a much bigger step. He has a request from a neighborhood south of the Post Road for traffic calming which is a physical adjustment of the roadway to slow down, reduce speed, and reduce volume to make the roads safer for pedestrians and vehicles. The Town hasn't had any formal traffic calming requests to date; thinks we'll have procedures in place soon. This can involve low cost improvements to extensive improvements. There are budget concerns with traffic calming.

Commissioner Kritzman asked if Colonial and Overbrook are controlled intersections? Mr. Ott said north on Colonial there is only one stop sign. When asked by Commissioner Kritzman if it could be a 4-way stop Mr. Ott said it is 3-way and would not meet the warrants for 4-way. Commissioner Kritzman asked who is responsible for trimming the trees and do we have a mechanism to do that? Mr. Ott said the town trims the trees - it is a routine function but it is hard to pick up every situation. Commissioner Kritzman asked if, when the general public identifies a dangerous situation, should they call Mike Ott? Mr. Ott said yes, his office gets calls all the time from citizens; they will put out a project bid to a private contractor. Commissioner Moon asked if Mr. Ott has the plans in his office for public viewing. Yes. Eventually, in answer to Commissioner Kritzman's question, the public will be able to access the plans on the website. Mr. Charles Gage asked relative to the southward traffic flow on Overbrook; why can't there be a stop sign heading south on Overbrook. Mr. Ott said when it is reconstructed the plan is to have the stop sign when you come off Rte 79 and come on Overbrook. Vice Chairman Smith asked if we can do anything in the interim and would the stop sign be a potential solution? Mr. Ott thinks we should wait until the reconstruction. The vegetation removal and clearing sight lines in the best we can do now. We've added speed limit signs. He hopes to go out to bid this summer. Commissioner Kritzman asked if patrol can take notice. Chief Nolan said the officers have already been patrolling the area. Lt. Gerard will put it in the message book.

## **COMMISSIONER COMMENTS**

## **CHIEF'S CORRESPONDENCE**

## **MISCELLANEOUS CORRESPONDENCE**

Chief Nolan noted, as he has told Mike Ott, the police department is more than willing to work with Mike Ott on these situations. We just sent an officer to a traffic calming school – Mr. Ott is excellent at working with us.

Chief Nolan advised there are two officers for the past fiscal year with perfect attendance, Sgt. Jon Pardo and Officer Greg Martin, who did not miss a day of work other than vacation and regular days off. Hopes the commission will commend them as well.

Commissioner Kritzman asked if the laterals will come in as laterals. Chief Nolan said the officer from Washington is from the CT area; he will be strictly lateral. The other gentleman retired when the state police had a golden handshake of 109 men. The trooper is working now but will need to be recertified but not at the POST.

Vice Chairman Smith said in the Chairman's absence he would entertain a motion to go in to recess, pending arrival of Atty. Floyd Dugas.

8:12PM

**MOTION** by Moon, second by Kritzman for a brief recess by moon. All in favor. None opposed. So moved. Vice Chairman Smith thanked those who attended and commented.

8:30 PM – Atty. Dugas arrives.

**MOTION** by Gyenizs, second by Moon to leave recess and enter Executive Session. All in favor. None opposed. So moved.

**EXECUTIVE SESSION**

Present: Commissioners Smith, Kritzman, Moon; Gyenizs; Acting Chief Nolan;  
Mr. Goldberg; Atty. Dugas

Discussion: Pending Claim – Horvath FOIA Complaint  
Pending Claim – Heiden Labor Board Complaint

Return to Regular Session at 9:00 PM.

**ADJOURN**

**MOTION** by Moon, second by Kritzman to adjourn at 9:31 PM. All in favor. None opposed. So moved.

Minutes accepted: August 13, 2009 as amended