



Public Safety & Transportation Committee Report

City of Newton **In City Council**

Wednesday, February 6, 2019

Present: Councilors Ciccone (Chair), Cote, Downs, Noel, Grossman, Lipof, Auchincloss and Markiewicz

Also Present: Councilors Albright, Kelley and Baker

City Staff: Commissioner Jim McGonagle, DPW; Lt. John Daly, Sgt. John Babcock, Captain Dennis Geary and Lt. George McMains, Newton Police Department and Jeff Honig, Deputy City Solicitor

Others Present: Attorney Alan McDonald, McDonald Lamond Canzoneri Law Firm

#45-19 **Requesting ordinance amendments that will expand the availability of Police details**
HER HONOR THE MAYOR, requesting the following ordinances be amended by adding into ***Chapter 24, Sec. 24-11 Supplemental Traffic Control Detail*** and amend ***Sec. 19-46 to include the new Supplemental Traffic Control Detail appointees.***

ACTION: **Public Safety & Transportation Committee No Action Necessary 8-0**

NOTE: Commissioner McGonagle, Sgt. Babcock, Lt. Daly, Captain Geary, Attorney McDonald and Deputy City Solicitor Honig joined the Committee for discussion on this item.

Commissioner McGonagle stated that this request is critical to the Department of Public Works to increase the pool of available Police details due to the volume of road work in the City. The shortage of Police details greatly impacts the work at construction sites. A solution is necessary in order to obtain more Police details.

Lt. Daly provided Committee members with backup material and a red-line draft ordinance, attached to this report.

Lt. Daly stated that this docket item has generated a lot of interest within the Police Department. There has been some misunderstandings and some missed communications. For several years, the Police Department has been short staffed. In 2016, the unions tried to resolve the problems together. This problem is not unique to Newton. Police details at construction sites due to shortage of Police personnel, uncontrolled permitting processes and infrastructure projects has created this 'perfect storm'.

Lt. Daly stated that the City, the DPW and Police Department have addressed the permitting process. Some loop holes have been closed with the contractors and they are still working on this process. The Police Department is involved in the permit review process. The Engineers have access to the Police

detail system to ensure a contractor has a detail prior to issuing a permit. There was a miscommunication between the Police and Engineering Departments. The Engineering Department would issue a work permit informing the contractor to call the Police Department 48 hours in advance to acquire a Police detail. Contractors would wait till the last moment to request a detail when no detail was available, the contractors would work without a Police detail.

Lt. Daly stated that the Police Department has several mutual aid agreements with surrounding Police Departments which offer Police details at construction sites. These agreements do not allow adequate coverage at many of the construction sites during peak times. The Newton Police Department allows Police Officers to work details until they reach the age of 70. The agreements allow sworn officers to perform Police details in the City. The Newton Police Department only allows for active Police Officers, not retirees to perform Police details.

Lt. Daly explained the Newton Police detail lists. The detail list includes the names of officers from surrounding towns performing details in the City and the unassigned details. This has been a problem since 2013. To resolve the Police detail staffing problems the department has met with the unions to reach a solution of the detail staffing issue.

Lt. Daly stated that this docket item, requesting ordinance amendments that will expand the availability of Police details has been a process of elimination. There are union contracts to consider, labor laws and calea standards which factor into the proposed remedy. The unions involve the use of the Auxiliary Police Force which is limited to working 19.5 hours in a seven-day work week. The unions suggested college interns become part of the Auxiliary Police Force to supplement the regular amount of Auxiliary Police Force. This past summer, the Newton Police Superiors Officers Association (NPSOA) and the (Newton Police Association (NPA) Unions prepared a document that suggested allowing the Auxiliary Police Officers to perform Police details. Chief MacDonald and Lt. Daly reviewed the suggestions trying to remedy the issue. They did not agree with some of the suggestions made by the unions. The Auxiliary Police and college interns do not carry a weapon and do not have Police authority. Many cities and towns use other personnel including firefighters, traffic supervisors and cadets to perform Police details.

Lt. Daly stated that in September 2016, he informed the unions that the issue was being discussed with the Council. In December 2016, he updated the unions with some misinformation that was released from the Council meeting relative to a firefighter hearing about the detail issue. In 2017, Lt. Daly informed the unions that they are attempting to agree on the language and conditions to allow the Auxiliary Police to work construction details. In February 2017, the NPSOA requested additional pay increases to allow for the implementation of the proposal. Former Mayor Warren declined to accept the monetary demands. Therefore, the proposal failed. In 2018, Commissioner McGonagle requested that Mayor Fuller resolve the detail staffing issues. Mayor Fuller has requested a solution. Therefore, the unions revisited the Auxiliary Police option. Legal issues rose about paying the Auxiliary Police for Police details and not paying them for their function on a volunteer basis. The statute did not allow the Auxiliary Police to be paid, therefore, the idea of Auxiliary Police to perform Police details did not come to fruition.

Lt. Daly stated that the department needs sixty officers to adequately staff Police details. First, the City Ordinance would need to be amended. Second, the department would negotiate with the unions to implement the Supplemental Traffic Detail. In personnel matters, the collective bargaining agreement supersedes any changes to the City Ordinance.

Chair Ciccone opened the discussion to members of the public who were present.

Attorney McDonald stated that he has been representing the NPA Union since 1990. He stated that he urges this Committee to table this docket item. The City is clearly putting the 'cart before the horse'. The collective bargaining agreement addresses work jurisdiction for Police Officers on performing Police details and emergencies. Last year, the NPA requested the City negotiate with them for a contract that ended June 30, 2018, this has not happened. If the City, goes ahead, they will face 'bad faith' bargaining charges with the Division of Labor Relations and contract grievance proceedings for damages through the collective bargaining contract. Attorney McDonald stated that the NPA Union has been prepared for one-year and is willing to sit at the bargaining table with the City to work this problem out. He then stated that he urges the Committee not to put the City at liability risk and Police Officers in turmoil by moving forward until an arrangement has been worked out through the unions to help resolve this detailed problem.

Captain Geary, NPSOA, stated it remains a bargaining issue that has been ongoing for 4 ½ years without a contract. He then said that they thought they had a tentative agreement, but the City withdrew the agreement. A year later, new language and information has been provided.

A Police Officer spoke requesting that the officers be informed and kept in the 'loop'.

A Police Officer stated that if this Committee were to pass this ordinance and it was posted on-line it would create conflict and confusion to people.

Sgt. Babcock stated that the department recently heard of this item to be docketed for consideration just days before a 3A hearing. Deputy City Solicitor Honig explained this item at the 3A hearing. Today, Captain Geary, Sgt. Babcock, Officer Panica and the two unions met with Mayor Fuller expressing the dissatisfaction regarding the communications relative to this proposal and asked her to table this matter in order to meet with the unions to come to a solution. It is necessary for all Police Officers to be informed. In the meantime, Sgt. Babcock urges this Committee to vote no action necessary on this docket item to allow the Mayor to address this item with the unions.

Deputy City Solicitor Honig, Labor Counsel for the City. It is true that any ordinance the City Council passes would be subordinate to a collective bargaining agreement. No action would take place until the unions have bargained through the contract. He disagrees that the City is committing an unfair labor practice by simply exercising constitutional and state law rights to pass legislation. There is a home rule amendment to the Massachusetts Constitution that allows this Committee to enact laws that are already consistent with the Constitution and other laws of the State. The City is trying to expedite a process that is necessary to entrust a sure following of staffing on the DPW sites.

Committee members expressed their concerns, questions and suggestions:

Concerns:

- The City Council has never been involved in bargaining. The legislative process should be the last step.
- It would be disappointing if the Administration puts in place these ordinance amendments prior to the unions agreement. Lt. Daly answered that there is no ill intent. The ordinance amendments would expedite the process. The intent is to first have the unions resolve this issue.

Questions:

- What is the concern about passing this ordinance before the collective bargaining agreement and is there a concern legally or because of negotiations? Attorney McDonald answered that in their view, this is bargaining in 'bad faith' for the City to come and seek an ordinance amendment rather than bargain with the unions. The City should bargain with the unions first, then come to this Committee for ordinance amendments.
- Why are we discussing this docket item since the collective bargaining agreement supersedes any changes to the City Ordinance? Commissioner McGonagle answered to fulfill the Police details for the current construction projects. This item is critical.
- What was the City's intent by docketing this item? Deputy City Solicitor Honig stated that the City is hoping to accomplish this once the agreements are made with the unions. The unions are not bound to this ordinance until agreed by both unions.
- Is the City bargaining with the Superior Officers? Deputy City Solicitor Honig stated that the City is not currently bargaining. The City is in litigation with the superiors at the State Agency JLMC that resolves state contracts. Last week, the City put forward the proposals to the State for an arbitrator to determine five separate issues including the Police details.
- Would the City be exposed legally for 'bad faith'? Deputy City Solicitor Honig explained that in sense of exposure would be a charge by the Department of Labor Relations by exercising its legislative prerogative that may impair the unions to bargain with the City. He is not aware of a case in this specific instance which was addressed by the Department of Labor Relations.
- Why doesn't the Police Department hire additional officers? Chair Ciccone answered that this is a budget decision.
- Please explain where the unions are in the bargaining decision and have they discussed the negotiations in the past year? Lt. Daly answered that the Superiors Union is at state mediation. A decision will be made in a few months. Discussions will begin with the NPA to negotiate a contract. Attorney McDonald answered that the unions have been looking to bargain since July 2018. The City has not been ready to bargain. Deputy City Solicitor Honig answered that the City has had some staffing issues.
- If contractors cannot obtain a Police detail can they still work during rush hour? Lt. Daly answered no, according to the Police permit requirements contractors cannot work during rush hours without a Police detail on major streets. The Police permit requirement explains this in detail by tiers.

Suggestions:

- The City Council should wait to discuss this item when the unions have discussed the bargaining process.
- It is necessary for the unions to work this Police detail issue out first, before coming to the City Council for approval of ordinance amendments that will expand the availability of Police details.

Sgt. Babcock stated that the arbitration process has begun. The two union attorneys will choose an arbitrator. The arbitrator is notified, chooses a hearing date and briefs each side. Tonight, Sgt. Babcock was notified that the process will take four to seven months prior to the arbitrators' decision being complete for the NPA.

Councilor Lipof stated that the unions must work this Police detail issue out first, before coming to the City Council for approval of ordinance amendments that will expand the availability of Police details. Therefore, without further discussion, Councilor Lipof made a motion for no action necessary. Committee members agreed 8-0.

#554-18 Proposal to end winter parking ban on select streets in Wards 2 and 3.
COUNCILORS ALBRIGHT, NORTON, COTE, BROUSAL-GLASER AND KELLEY, proposing to end the winter parking ban on select streets in Wards 2 and 3.
HELD 6-0, Councilors Lipof and Noel not voting on 11/07/18
HELD 8-0 on 12/05/18
ACTION: Public Safety & Transportation Committee Held 6-1-0, Councilor Cote opposed, Lipof not voting

NOTE: Commissioner McGonagle, Lt. George McMains, Councilors Albright, Kelley and Baker joined the Committee for discussion on this item.

Committee members were provided with maps for the pilot area. One map primarily is of the four precincts (2/1, 3/1, 3/3, 3/4). The other, shows these four precincts in the context of the north side of the city. These maps are attached to this report.

Councilor Albright stated that she recently spoke with Commissioner McGonagle and has met with Chief MacDonald who reviewed the maps and is willing to use these areas as a pilot program and is willing to obtain data on overnight parking in the area. A pilot program with a defined map of homes of residents would determine if eliminating the winter parking ban would work or not. Councilor Albright stated that she and Chief MacDonald agreed to a pilot program without a permit process.

Councilor Kelley stated that the City cannot offer alternative parking for residents with no off-street parking. The simpler the pilot program the better. She is hopeful that Councilor Albright and herself will obtain data on people parking and not parking on the streets. The four precincts about the City of Waltham, data will be tracked to determine if this becomes an issue although Waltham does not have an overnight winter parking ban. Waltham calls for a snow emergency when all vehicles must be removed from the roads. Councilor Kelley then stated that each neighborhood is different and unique. She then noted that in this neighborhood, it is over one mile to the closest bus, over one mile almost two miles to the closest 'T' and one mile plus to the commuter rail. Homes in these precincts are multi-unit homes with single driveways. She then said that she is hopeful this Committee will approve a pilot program to commence this year.

Lt. McMains stated that the department is hopeful to obtain data on the number of received complaints. Officers will respond, document the complaint, enforce drivers parking within 5 feet of a

driveway and intersection violations. A permit process would be too difficult for the officers because the officer would have to exit their vehicle and scrape the window to determine if the driver had a permit.

Committee members questions, concerns and suggestions.

Questions:

- If this pilot program comes to fruition in these precincts, how will residents be notified for it to be effective? Councilor Kelley answered that the Executive Office and Chief MacDonald have said that the City will have the resources to notify the residents in these precincts through robot-call and the Mayor's newsletter.
- Please provide the history of the winter parking ban? A resident, a former Newton Police Officer explained that approximately 20-25 years ago, a year-round parking ban was in place. During the summer months, the parking ban was not enforced, it was complaint driven. During the winter months, the parking ban was heavily enforced. Drivers were ticketed hoping to make residents aware.
- What is the concern if neighboring residents park on Newton roads?

Concerns:

- The pilot program may send a mixed message because the City is committed in encouraging residents not to drive.
- All residents should be notified of this pilot program. Lt. McMains said that if all residents are notified they may flock to park in these areas. The notification should only be sent to residents of the precincts.
- Moving forward, new developments would need to address the number of parking spaces per unit. It is a necessity to have parking, not a luxury. A committee member disagreed and said that new developments should not accommodate additional parking. On-street parking is different than off-street parking. Street parking is important and is a public resource.
- The public safety issues are serious. It is difficult for vehicles to pass another when snow banks are present. It is necessary to have emergency vehicle access without difficulties.
- We must share parking on roads and in front of homes.
- The winter parking ban is being used for a purpose that it was not devised for. It was implemented to prevent snow emergencies due to poor City communications making it to difficult for plowing operations when vehicles were parking on the streets.
- Many homes in these precincts have driveways.
- Data collection is necessary. Councilor Albright suggested a group of resident's volunteer to track, obtain and provide feedback in their neighborhood.

Suggestions:

- Collect data on the number of residents who own a vehicle, number of driveways, number of homes without driveways, number of vehicles parking on the roads in the spring and the cost to rent private parking spaces. Residents are interested in having a dedicated parking space. Councilor Albright said that some residents pave their front and side yards in order to have their vehicle removed from the street. She then said that she has been working with the IT Department on the GIS system in order to determine if residents have driveways or not. It is necessary to collect data on the number of homes with or without driveways.

Several Committee members stated that they would support a pilot program due to the dense area in these precincts.

Chair Ciccone opened the discussion to members of the public who were present. Emails received are on file. Residents expressed their concerns, questions and suggestions.

Concerns:

- Concerns on road congestion, all year. It is difficult for the street sweeper as people won't move their vehicles despite signs being placed.
- Snow removal may be hampered, and the narrow streets would pose difficulty for emergency vehicle access.
- Public safety and emergency vehicle access are necessary.

Questions:

- A resident asked if the excise tax bill could determine vehicle counts for the data? Councilor Cote answered no, because there are many out-of-state vehicles and renters. The City would not have excise bill tax records on these drivers.

Suggestions:

- Please provide alternative parking locations for residents.
- A resident stated that the parking ban should remain all times and all seasons.

Commissioner McGonagle stated that the communications should include that during a snow emergency all vehicles must be removed from the roads. There is no parking on any city road during a declared snow emergency.

Councilor Albright stated that she has discussed and will continue to discuss with Commissioner DeRubeis about alternative resident parking solutions including the schools. Councilor Kelley stated that it is important to have alternative parking locations where residents may park.

Councilor Albright suggested the Committee approve a pilot program to April 15, 2020 in precincts 2/1, 3/1, 3/3 and 3/4. The Police Department has the authority to change or eliminate the pilot program. If the pilot program does not work as intended, it can be dismissed.

Committee members expressed their suggestions.

Suggestions:

- Several Committee members suggested implementing the pilot program in the winter of 2019-2020 allowing a communication plan to be built and to address safety concerns.
- Several Committee members suggested holding this item in order to gather baseline data.

Without further discussion, Councilor Auchincloss made a motion to hold this item. Committee members agreed 6-1-0, Councilor Cote opposed, Lipof not voting.

At approximately 9:10 p.m., Councilor Auchincloss made a motion to adjourn. Committee members agreed 7-0, Councilor Lipof not voting.

Respectfully submitted,

Allan Ciccone, Jr. Chair



Ruthanne Fuller
Mayor

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Office of the Mayor

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Honorable City Councilors:

RECEIVED
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2019 JAN 31 PM 2:45
DAVID A. O'NEILL, MAYOR
NEWTON, MA 02459

The City of Newton is experiencing delays in both municipal and utility work due to a shortage of police details needed for construction projects. I write to ask the Honorable Council to consider the following two amendments to the City Ordinances that will expand the availability of details:

1. To amend Chapter 24 of the Ordinances by adding a new Sec. 24-11 *Supplemental Traffic Control Detail* which will enable the Chief of Police to hire part time personnel on an as-needed basis to assist in directing traffic at construction sites in the public way when no sworn police officers or police retiree detail patrol appointees are available.
2. To amend Sec. 19-46 of the Ordinances to include the new Supplemental Traffic Control Detail appointees as persons authorized to direct traffic on construction details within and about the public ways in Newton.

The Departments of Public Works, Parks & Recreation and Public Buildings, as well as the Police Department, are in full support of this docket item to increase the pool of available construction details. The addition of more people available to do details is necessary due to the volume of road work in Newton. This includes road/sidewalk improvements, utility work, tree plantings and removal, and building construction/maintenance and repairs.

Construction details are necessary to ensure the safety of pedestrians, cyclists, motorists and workers when any work is performed in or near the City right-of-way. Due to the volume of work being performed throughout the City, there has been an extreme shortage of available police details. This shortage is creating a significant impact to project timelines and operational budgets. Quite often when police details cannot be filled, the work must be postponed, delaying a project and adding costs to reschedule. Since last February, when DPW began tracking the number of unfilled construction details, an average of 24% of the requested details went unfilled. The number of unfilled detail requests is anticipated to increase significantly this year due to two major village center enhancement projects (West Newton and Newtonville) along with the end of the NGRID lockout which has been in effect since June 2018.

The City of Newton will hire people with experience in law enforcement or people who are pursuing a

career in law enforcement who are working with the Newton Police Department. This includes the following:

- Retired Massachusetts Police Officers based on superannuation;
- Newton Auxiliary Officers;
- Retired Massachusetts Sheriffs based on superannuation;
- Retired Massachusetts State Police based on superannuation;
- People with prior law enforcement experience or training acceptable to the Chief of Police.
- In addition, if additional personnel are required then college seniors that have an intern relationship with NPD (currently Pine Manor or Lasell College) can be hired. Selection criteria will be established and agreed upon by the respective college(s) and the Police Department.

The Supplemental Traffic Control Program within the Police Department will allow it to add additional supplemental personnel to meet their construction detail demands at peak times during the construction season. Like many other communities, Newton is dealing with an increase of construction with a limited number of police officers to meet those demands.

The Police Department has discussed the parameters of these changes with the affected unions. The Police Department will create a General Order, a Standard Operating Procedure and internal detail rules to govern the anticipated changes for the supplemental personnel.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Ruthanne Fuller". The signature is fluid and cursive, with the first name "Ruthanne" and the last name "Fuller" clearly distinguishable.

Ruthanne Fuller, Mayor

Attachments:

1. Ordinance language for Supplemental Traffic Control Detail

Table of Content's

Page 1	DPW permit info
Page 2	NPD detail sheet August 23, 2018
Page 3	NPD detail sheet August 25, 2017
Page 4	NPD detail sheet August 22, 2017
Page 5	NPD detail sheet August 24, 2016
Page 6,7,8	2016 NPSOA and NPA joint detail idea document
Page 9,10,11	091316 email to NPA and NPSOA with 2 attachments
Page 12,13,14	123116 email to NPA and NPSOA with letter regarding the detail problem
Page 15	012517 email to NPA and NPSOA status update asking for their language
Page 16,17,18	020917 NPSOA email seeking compensation to allow the auxiliary proposal
Page 19	012919 email to unions with attachments
Page 20	012919 letter to unions

Police Permit Requirement

48 hour Notice must be given

Tier 1-3 Rquirements

Police Detail Required

		Traffic Plan Required			Plan Approved		Date
		Yes	No		Yes	No	
Tier 1	Major Arteries	Yes	No	Police Dept	Yes	No	
	Collector Major	Yes	No	Traffic Div	Yes	No	
Tier 2	Collector Minor	Yes	No	Engineering Div	Yes	No	
Tier 3	Artiel Minor	Yes	No				

Tier 4-5 Rquirements

Call for police detail 48 hours in Advance, but work is authorized if detail is not available
Report any road closure to Police dispatch 617-796-2100 ext. 5

Tier 4	Local	Yes	No
Tier 5	Local dead end	Yes	No

Note: if a traffic plan is required must be signed off By Police, Traffic and Engineering Divisions

Special Instructions:

General Rules to be follwed under all Permit Conditions

1. Call for Police detail 48 hrs in advance
2. All road requires proper traffic control equipment, cones, barricades detor signs, etc.
3. Any parking restrictions should be authorized and posted in advance through Traffic.
4. Report any problems with Police details to detail supervisor at 617-796-2115.

48 hour Notice must be given

Newton Police Detail List

AUGUST 23, 2018

THURSDAY Date:

DAYS:

1. Lorusso	Beacon St @ Laurel	630a	Sgt. CHISHOLM
2. AR Belli	Dedham St @ Carlson	7a	1. M. GAD
3. Eversource	DENON TR.	9a	1. TRAMONTOZZI 2. P. WADE
4. D&R Const.	Comm Ave @ Wash	7a	1. CXL D
5. P. Callacco	210 Sumner St	7a	1. GUARINO 2. COLELLA
6. Tree Tech	Erie Av @ Woodward St	730a	1. RUFO 2. S. HEALY
7. MJS Const.	241 Adams St	7a	1. CANCELED 8/22 1400HRS
8. Trillennium	143 Homer St	730a	1. EUPOLI
9. A.D. Paolini	Eastside Pkwy @ Hilltop	7a	1. SCHAEFER
10. McDonald Pave	Gibb St @ Centre St	730a	1. KEAVENEY (BRK)
11. Crosspoint Asc.	153 Needham St	7a	1. DOUCETTE
12. Mirra Co	Bridge @ Lindwood	730a	(BRK) 1. GRILLAGHER 2. MCSWEENEY
13. Verizon	Crafts St @ Lincoln	830a	1. LARSON
14. City of Newton	Walnut @ Newtonville	7a	1. CONLEY
15. Northern Tree	Elliot St Yard	7a	1. J. CLAFLIN
16. Stumpy Tree	38 Ellis St	8a	1. SELIG
17. City of Newton	Wolcott St	730a	1. ROBINSON
18. City of Newton	Beacon @ Collins	7a	1. COLLINS (BRK)
19. Mirra Co.	Van Roosen @ Osbourne	7a	1.
20. City of Newton	Ruane Rd @ Mignon	7a	1. DUPLASSY (LAS)
21. VERIZON	CYPRESS + PAUL	830a	1. CRAPPA (BRK) 2. MAYEN (BRK)
22. CEDROWE	OBER RD	7a	1. SODERBERG (BRK)
23. MSR UTIL.	860 BOYLSTON ST	830a	1.
24. SECOND STEP	21 FOSTER ST	7A-3P	1. HUTNICK (BRK)
25. ATLAS CONTRACTING	47 BROOKLINE ST	830A	1. SGT TEHAN (BRK)
26.			
27.			
28.			

FIRST:

1. WHOLE FOODS		345P-745P	1
2. Hbtl Indigo	Grove St. (Traffic)	4P-9P	1. GEAGAN
3. LORUSSO	BEACON ST	230P/330P	SGT 1. LEE
4.	1. GABRIEL 2. DEVINE 3. TOCCI		4. FALTRUP (LAS)
5. CITY OF NEWTON	WOLCOTT ST	RELIEF 330P	1. RAYMOND
6.			
7.			
8.			

LAST:

1. HWAY SAFETY	BEACON @ HAMMOND'S W/CAISSA	10P	1. R. March
2.			
3.			

Newton Police Detail List

TUESDAY Date: AUGUST 15, 2017

DAYS:			
1.LORUSSO	COMM AVE	7A SGT S. MCLEAN	
1 G. HILL	2 SCALTRETO	3 ADAM	4 COLETTI
2.CEDRONE	BEACON @ CHESTNUT	7A SGT DOUCETTE	
1 Robinson	2 BRANDON	3 ANDERSON	4 MURRAY
3.SEALCOATING INC	COMM @ HOMER	Bacon @ Upland	7A 1 MEAD 2 S. McCarthy 3 C. BOUDREAU
4.LORUSSO	ADAMS ST	7A 1	2 T. MCCARTHY 3 MACE
5.CEDRONE	WATERTOWN @ EDEN	7A 1 GABRIEL	2 Babcock 3.
6.FEENEY	CRAFTS @ LINWOOD	8A 1 BERGDORF	2 CICCONE
7.LORUSSO	BRANDEIS RD	7A 1 CONLEY	2 BANNON
8.EVERSOURCE	WOODLAND RD POLE 475/27	9A 1 MCLAUGHLIN	2 ROCHE
9.VERIZON	924 WALNUT ST	830A 1 SCHAEFER	2
10.GIGANTIC INDUST.	459 AUBURN ST	7A 1 PANICA	
11.LORUSSO	BEACON ST	7A 1 Annese	2.
12.NATL GRID	727 WASH. ST	9A 1 R. Keefe	2
13.CITY OF NEWTON	WALNUT @ LINCOLN	730A 1	
14.CITY OF NEWTON	WATERTOWN @ WALKER	730A 1	
15.WESTON & SAMPSON	60 ELLIOT ST QUINOBEGON (POMPLING STATION)	7A 1	2
16.SURVEYING & MAPPING	CALIFORNIA @ BRIDGE	830A 1	
17.VERIZON	WASH. ST @ C/O	830A 1	
18.MWRA	66 COLLEGE RD	8A 1	
19.CJP	386 WOLCOTT ST	7A 1	
20.CJP	2039 COMM AVE	7A 1	
21.MWRA	WARD @ RESERVOIR	8A 1	
22.NORTHERN TREE	ELLIOT ST YARD	7A 1	
23.WOODARD & ADAMS	ADAMS @ CHANDLER	8A 1	
24.BHART BHUSAN	2 TERRACE AVE	8A 1	
25.PINE CONE CONST.	INIS CIRCLE	8A 1	
26.City of Newton	Woodland Rd	730 1.	
27.A+D Services	85 Fuller Terr.	7A 1.	
28.CITY OF NEWTON	WALNUT + AUSTIN	8A 1.	
29.US PAVEMENT	AUSTIN ST	7A 1.	
30.NATL GRID	241 CHURCH ST	8A 1.	2.
31.REBCO	60 MIDDLESEX RD	7A 1.	
32.NORTHERN PROP.	165 BERKELEY ST	8A 1.	
33. Natl Grid	300 Womer St.	11a 1. Sullivan	2. R. KEEFE
34.			
35.			
36.			
37.			
38.FEENEY	WALTHAM ST	7A 1	
39.FEENEY	HARDING ST	7A 1	
40.FEENEY	WABAN ST	7A 1	
41.FEENEY	HUNNEWELL AVE	8A 1	

Newton Police Detail List

TUESDAY Date: AUGUST 22, 2017

DAYS:

1. SEALCOATING		7A SGT	CANCELED 8/21 1515HRS
1.	2.	3.	4.
2. D'ALLESANDRO	65 AUBURN ST	7A 1. <u>MURRAY</u>	
3. LORUSSO	ADAMS ST	7A 1. <u>G. CLAFLIN</u>	2. KANE 3.
4. CEDRONE	WILLOW ST	7A 1. ADAM	2. <u>MCCARTHY, J3.</u>
5. FEENEY	CRAFTS & LINWOOD	7A 1. MCNEIL	2. <u>SGT ONEIL (Brookline)</u>
6. LORUSSO	BEACON ST	7A 1. <u>FORBES (BRK)</u>	
7. EVERSOURCE	CABOT SCHOOL	9A 1. SELIG	2. BERGDORF
8. NATIONAL GRID	321 CHESTNUT ST	9A 1. CICCONE	2. R. MARCH
9. US PAVEMENT	AUSTIN ST	7A 1. DOUCETTE	
10. CJP	406 WOLCOTT ST	7A 1. <u>PELLEGRINE</u>	
11. CJP	25 MAGUE AVE	7A 1. SCHAEFER	
12. LORUSSO	BRANDEIS RD	7A 1. <u>RUFFO</u>	2. <u>KESSE, RET</u>
13. VERIZON	382 HAMMOND ST	8A 1. <u>GEARY, RET</u>	
14. TREE TECH	TOWER RD	7A 1. <u>SGT TEHRAN</u>	2. <u>MAYEN</u> > BROOKLINE
15. EVERSOURCE	74 GARDNER ST	9A 1. <u>WEINSTEIN</u>	2. <u>GLUBIN</u>
16. VERIZON	120 AUSTIN ST	830A 1. <u>COLLINS (BRK)</u>	
17. BOTTI CONS	STEIN CIRCLE	7A 1.	
18. CCG	CRYSTAL LAKE BATH	8A 1. <u>CRAPO (BRK)</u>	
19. NORTHERN TREE	ELLIOT ST YARD	7A 1. <u>FALTRUP (LASALLE)</u>	
20. EVERSOURCE	95 ELM ST	8A 1. <u>SOTUNBO (LASALLE)</u>	
21. WOODWARD & ADAMS	ADAMS & CHANDLER	8A 1. <u>SUTHERLAND (BRK)</u>	*KCLD*
22. AMEC FOSTER WHEELER	88 CHAPEL ST	7A 1.	
23. CITY OF NEWTON	CHESTNUT & MAPLE	8A 1.	
24. KANE BUILT	WISWALL RD	730A 1.	
25. NATIONAL GRID	LOWELL & AUSTIN	830A 1.	2.
26. NEUCO	66 GRAFTON ST	9A 1.	
27. LUPIEN TREE	1180 WASHINGTON ST	9A 1.	
28. CONIELLO	105 UNION ST	830A 1. <u>SUTHERLAND (BRK)</u>	
29. MALTBY TREE	19 BOWDOIN ST	730A 1.	
30. NAT'L GRID	43 BRIDGES AV	9A 1.	
31. CITY NEWTON	PAGE @ WALICKS	730A 1.	
32. JM DEODATO	619264449 11 WESTERN ST	8A 1.	
33. NAT'L GRID	12 HENSHAW TSM	830A 1.	
34.			
35.			
36.			
37.			
38.			
39. FEENEY	WABAN ST	7A 1.	
40. FEENEY	WALTHAM ST	7A 1.	
41. FEENEY	HARDING ST	7A 1.	
42. FEENEY	HUNNEWELL AVE	8A 1.	

Newton Police Detail List

WEDNESDAY Date: AUGUST 24, 2016

DAYS:			
1.BOSTON COLLEGE	HAMMOND & TUDOR	630A-330P	SGT Clafin, T
1 Adam	2 Laross	3 Bouard	4 Tramontozz
1A. LORUSSO	WATERTOWN & CRAFTS	7A	SGT Dempsey
1 Raymond	2 Skellig	3 Guarino	4 Boudreau, C
2.BISZKO	CRAFTS ST	7A	1 McLean 2 Duxette 3 Durickas
3.FEENEY	WALTHAM & LINDBERGH	7A	1 ANNESH 2 J McEANNITY
4.FEENEY	CHESTNUT ST	7A	1 Cupoli 2 Koerber
5.CHARLES CONT	LEX & COMM	7A	1 Mcneil 2 Coney
6.GRANESE	DEDHAM & CANNON	7A	1 McLaughlin 2 Leane
7.CCG	CRYSTAL LAKE LOT	8A-5P	DIFFERENT CREWS
1	2	3	4
7A. LORUSSO	WASH & PERKINS	7A	1 EDKRAI 2 FELTRUP - USALL
8.LORUSSO	CHERRY & WASH	7A	1 2 3
9.LORUSSO	HAWTHORNE AV	7A	1
10.NAT'L GRID		9A	1 2
11.EVERSOURCE	403 PARKER ST	9A	1
12.NORTHERN TREE	HOMER ST - LIBRARY	7A	1
13.WESTON & SAMPSON	60 ELLIOT ST	7A	1 2 canceller
14.LEWIS TREE	770 CENTRE ST	8A	1
15.FEENEY	PARMENTER RD	7A	1
15A.T & K ASPHALT	99 NEEDHAM ST	9A	1
16.FEENEY	HAMMOND & COLLEGE	730A	1
17.FEENEY	GRAY CLIFF RD	8A	1
18.EVERSOURCE	144 CHERRY ST	9A	1 CANCELED
19.Phoenix Comm	180 Wells Ave	8.	1.
20. Verizon	Fisher + Walnut	8:30	1.
21. Verizon 645 2719	64 Bowen St	8.	1.
22. EVERSOURCE	SHOMASUN & WISAMU	9A	1.
23. NAT'L GRID	456 CHESMAN RD	9A	1
24. EVERSOURCE	SHOMASUN & WISAMU		
25.			
26.			
27.			
28.			
29.			
30.			
31.			
32.			
33.			
34.			
35.			
36.			
37.ALBERTA RICHMOND	8 MANITOBA RD	11A-3P	1

NPSOA & NPA

IDEA'S FOR FILLING FUTURE DETAILS

Internal: Officers

- No refusal for NPD Officers on Day Details
 1. During the busy two (2) cycles from April 1 – October 31
 2. Trial Period
- Allowing all 5 & 2 personnel the option to:
 1. Work four (4) ten (10) hour shifts
 2. On the fifth (5th) day that they designate, they must work a detail
 3. This will be allowed from May 1 – October 31

External: Officers

- Calling outside departments
 1. Not proven to unions that these calls were made
- Calling outside departments the night before
 1. Setting aside jobs for our hold list and retirees then calling outside departments
- Allowing outside departments retiree's work day details
 1. Same age as NPD
 2. Need to be actual sworn officer
- Allowing outside departments Special Officers
 1. Need to be academy trained

External: Colleges

- Calling College PD's
 1. Mass Bay
 2. Bentley
 3. Brandeis
 4. Umass
 5. Northeastern
 6. Lesile
 7. Etc.
- Summer Special / Reserve Officers / Auxiliary Police officer
 1. Attempt to attract college aged students that are looking for careers in Law Enforcement and have concentration in CJ
 2. Advertise using social media
 3. Summer Help only
 4. Work 19.5 hours per week
 5. Become Auxiliary Police Officer
 6. Need to volunteer so many hours in a month

Internal: Other

- Crossing Guards: NO
- Parking Control: NO
- Auxiliary Police:
 1. 19.5 hours per week
 2. Allowed to work after out of town officers
 3. Background Checks - CORI
 4. Rules like the retirees
 5. Purchase their own gear
 6. Must still volunteer to do the same job they are currently doing
 7. Hire a Sgt when an agreed upon amount are working day details
- ~~➤ Dispatchers:~~
 1. Have to become Auxiliary Police Officers
 2. Allowed more than 19.5 hours since already employed by the city
 3. Need to volunteer so many hours in a month
 4. Department Coverage is a priority

External: Fire Fighters

> Last Resort

1. They must become an Auxiliary Police Officer
2. Same rules as Auxiliary Police Officers
3. Need to volunteer so many hours in a month
4. Is it 19.5 hours or controlled number per week
5. Controlled by the NPD Police Chief for details

Misc.:

MBTA

Aux detail

John M. Daly

Tue 9/13/2016 3:51 PM

To: npsoa1@yahoo.com <npsoa1@yahoo.com>; newtonpoliceassociation@gmail.com
<newtonpoliceassociation@gmail.com>;

2 attachments (521 KB)

Auxiliary proposal 2016.docx; Aux detail info.pdf;

Dear Sirs,

As some of you have heard at the finance committee meeting Police details was a widely discussed topic. Three members Norton, Fuller and Lappin all gave indication they want to push Police details to a public discussion. Mainly the fact we can't staff them and the cost. I did my best to explain the current problems with details and discredited their comments they can save money with flaggers on their utility bills. I pointed out at the last Alderman hearing on the matter all the utilities specifically said they would not pass on any savings to the city or consumers if flaggers were somehow allowed in the City. This seem to get their attention. But everyone knows we can not staff or details. We need to continue to remedy this problem. One way can be the use of Auxiliary. Please see attached City ordinance's on the subject and a brief description of the events. Please discuss this amongst your e-boards and I suggest we meet jointly to stay ahead of this.

Regards,
John

Lieutenant John Daly
Executive Officer
Newton Police Department
Office 617-796-3610
jdaly@newtonma.gov

9

Every City and Town is having trouble staffing construction site due to past cut backs of Police personnel. In addition in the City of Newton there has been no prioritizing of construction projects which feeds all construction projects into a narrow time frame.

The Department has numerous mutual aid agreements to have officers from surrounding communities to serve as traffic control at Newton construction sites. These agreements still do not allow for adequate coverage of the many construction details.

The City should adopt a policy to limit non-essential work during peak construction season of the summer months, rather if a cable company can string cable in the late fall or early winter months said company should be designated to schedule their work accordingly.

The department can and should continue to prioritize staffing for details.

The department should continue to seek other agencies to assist with traffic control.

Seek remedy to have auxiliary officers assist at peak times.

Auxiliary detail issue

Legal restrictions

- City ordinance
- State law

Procedure restrictions

- Accreditation

Employment restrictions

- Unpaid volunteers

Proposal

Under City ordinance change language in 8-6 Unpaid aux police shall not direct traffic at Construction sites in the public way.

We need to come up with language or eliminate this sentence all together. I suggest the later. The CBA's should cover preventing the fire in. We just need to guard against a push from the fire at any public hearing.

Change 19-46 only sworn police authorized to direct traffic. I suggest on authorized officers to direct all traffic. Careful play on words we need to be aware of is later in the paragraph it is mentioned police and fire are authorized to direct traffic in the event of a fire or an emergency. Under section 10 fire protection this section references in the event of a fire, fire or police may direct traffic. I think this gives us some relief.

Aux details

No Police powers
No weapon
Must volunteer x number of shifts per month to qualify.
 Work on the street
 4 hr shifts at front desk
Limit 20 hours per week in details per HR

Benefits

Cover more details
Raise revenue for the City
Keep flagman/FF out
Control over auxiliary we lose if FF or flaggers get in
Aux covering front desk/ other events

Process

Union support
Legal OK
Aux working restrictions and training
Aux screening and hiring restrictions

\$5 surcharge per hour @ 8 hours + \$40

10 Aux
\$40* 10 Officers = \$400 per day
\$400*100 days= \$40k per year

20 Aux
\$40*20 officers=\$800 per day
\$800*100 days= 80k per year

#45-19
02/06/19
Lt. Daly

jdaly@newtonma.gov

Detail update

John M. Daly

Fri 12/23/2016 12:34 PM

To: npsoa1@yahoo.com <npsoa1@yahoo.com>; Newton Police Association <npa1874@gmail.com>;

Cc: David L. MacDonald <dmacdonald@newtonma.gov>;

1 attachments (18 KB)

Detail update NPSOA and NPA 122316.docx;

Dear Sirs,

Please see attached letter.

Happy Holidays

Lieutenant John Daly
Executive Officer
Newton Police Department
Office 617-796-3610
jdaly@newtonma.gov

Detail update NPSOA and NPA

This document is designed to give both Associations an insight and to clear up misinformation about recent citywide discussions on police details. As you know we have an ongoing problem with the unprecedented amount of work in the past several years particularly in the summer months. The Chief has spoken with both Unions about the problem and had solicited potential solutions to the problem. The department has committed additional time and resources to the detail system. Previously, internal Detail control was split between the traffic bureau and the patrol bureau. Working with the Unions to clear up some disconnect that this arrangement created, detail construction issues were placed under the newly created detail Lt position. A patrol officer was assigned to the first half to better process and control the detail system. The detail system has received electronic upgrades which allow for better coordination and prioritization internally. Externally we are working with DPW and engineering to get advance notice of scheduled work and to have inspectors check in advance of issuing permits to see if a detail has been set up. This will allow for better prioritization of details. We are working on the process to have contractors submit traffic plans for police review prior to issuance of permits by the City.

The overall detail problem is not limited to the City of Newton, every City and Town is dealing with similar issues. In Newton there has been an unprecedented increase in the amount of work. Recently at a City Council hearing several Councilors expressed concern over the fact officers were being paid \$50 per hour and we could not find enough officers willing to work the details. This should give insight to the information that is being discussed by person(s) that have limited knowledge of the current construction process and police detail system. DPW, utility companies and other unions are all voicing their opinions about the detail system.

Recently the Chief was at a department head meeting where items of concern "icebergs" for the City were discussed. One of the icebergs was Police details. The Chief was given no prior notice or included in previous discussions that this was going to be addressed in this manner. The group was broken down into working groups to discuss and resolve these icebergs. The lack of previous discussions or notice on the matter should give further insight that other entities have brought this issue up without Police knowledge or participation.

I participated in the second such discussion. Present were Shane Mark from DPW, Chief Prioa from the Fire Dept, a representative from planning and Maureen Lemieux. The group identified the police detail problem as not enough officers to cover the details. I explained covering details has not been a problem until the City allowed any and all work to be done with no means of control, coordination or prioritization. I explained to them the real problem is lack of control in allowing all the work to be done without control and priority. I told them if we produced 100 more officers per day how would that prevent the traffic problems that the lack of control presents. As an example I cited a day the contractor was working on a major intersection (Comm and Lex) during rush hour and the City of Newton engineering department allowed GVC a subcontractor to shut down Auburn St, also at rush hour. The Mayor's office complained to the Police about the traffic back up. The DPW representative at the meeting was unaware a City subcontractor had shut down Auburn St and told the Mayor's office it had nothing to do with DPW. Lt Walsh was sent to the area to investigate and discovered the GVC at the direction of the City had shut down Auburn St. Lt Walsh ordered GVC off the road due to the complaints and made arrangements for them to work another day.

Another specific example of lack of control was allowing a Comcast subcontractor (CCG) to work during peak construction months with the sole purpose of making as much money for Comcast as quickly as

possible by wiring the entire City (as quickly as possible) while requiring 15 details per day. This should not be a priority and they should have been told they could not work during peak construction season and to delay the project to the late fall.

Another issue is allowing contractors to work at major intersections during rush hour. In the past contractors were prevented from working in main intersections until after 9am. The city accepts bids on projects with timelines. Those timelines allow them to work 7am to 4pm during rush hour. This creates traffic jams like the one mentioned above, then the Police get blamed for traffic jams. Increase night work would also alleviate congestion and allow for better staffing of details.

The group have now included lack of control as part of the problem, moving from lack of officers as the only problem. Discussions will continue at the department head level on this topic. There is a deadline with the start of the new construction season where the amount of work will increase with an aggressive infrastructure plan.

The department is seeking participation of both Associations to come up with solutions in a timely manner. The Chief has proposed allowing Auxiliary Officers to assist. This option comes with several minor hurdles to work out. But this alone will not remedy the problem.

We are confident there will be new control and cooperation from the City in the near future. We say this because the City has told the City Councilors they will be able to deal with the aggressive construction plan that was presented to them. It is the goal of the Chief for the Police to be able to handle and control the detail system without interference from other entities.

We ask you meet with your Associations to discuss this matter. At your earliest convenience we should meet as a group to discuss ideas for resolution.

Happy holidays,

Lieutenant John Daly
Executive Officer
Newton Police Department
Office 617-796-3610
jdaly@newtonma.gov

Aux details

John M. Daly

Wed 1/25/2017 5:07 PM

To: npsoa1@yahoo.com <npsoa1@yahoo.com>; newtonpoliceassociation@gmail.com
<newtonpoliceassociation@gmail.com>;

Dear Sirs,

I had a very productive meeting with the law department regarding the proposed implementation of the auxiliary detail system. The law department had a minor grammatical change. I am waiting to hear back from you and your respective counsel on the proposed language you feel is required.

I know it seems like we have a long time before the start of the construction season, but we have limited time to work out the issues. As set forth in the NPA and NPSOA ideas for filling future details there are some complex concepts that will take some time to get off the ground.

I have been playing phone tag with the MBTA to see if they can offer any assistance. I will report back any progress on the T front as I get it.

Regards,

Lieutenant John Daly
Executive Officer
Newton Police Department
Office 617-796-3610
jdaly@newtonma.gov

15

Re: Draft Memo to Lt. Daly - Auxiliary Details

John M. Daly

Thu 2/9/2017 4:29 PM

To: john babcock <jaybabcock2175@gmail.com>; npsoa1@yahoo.com <npsoa1@yahoo.com>;

Sgt Babcock:

Jay

The Chief asked Captain Geary if he has any time tomorrow to talk about a couple of issues. If you have time tomorrow he can meet with you on this issue also.

At face value 1-5 are fine, but I would caution you as to most of #6. The Executive Office is going to hold public hearings on Police details with or without union support, the public is unlikely to have any sympathy for us. I suggest you analyze carefully proposals that may further jeopardize our detail system.

Regards,
John

Lt. Daly:
John

After discussions among the NPSOA Executive Board and the union attorney, I am writing to you to set up a meeting with Chief MacDonald and yourself regarding the Auxiliary Police and attempting to agree on the language and conditions to allow the Auxiliary Police to work construction site details.

The NPSOA Executive Board would like to separate this issue from the bargaining per our union attorneys blessings.
We hope this will jump start the process.

We would like to discuss the following issues at the meeting:

1. Revised language on the contractual and ordinance language, nothing major - legal terms from our attorney
2. The calling list on where the Auxiliary Police are placed to be called for a detail
Example

- (a) All NPD (NPSOA-NPA) Active Officers {First}
 - (b) All NPD (NPSOA-NPA) Retired Officers {Second}
 - (c) All agreement outside departments Police Officers {Third}
 - (d) All agreement college Police Officers {Fourth}
 - (e) All NPD Auxiliary Officers {Fifth}
3. The Auxiliary Police will only be allowed to work at construction site details
4. The definition of a construction site detail
5. The Auxiliary Police will receive the same contractual detail rates and per hour rates as NPSOA-NPA Members
6. By changing the city ordinance and amending the CBA (contract), the NPSOA is asking in return for the following:
- (a) Changing the time of the activation of the Special Rate for Non-City Details (Monday - Friday) from 9:00pm to 3:00pm
 - (b) Hiring a Supervisor, Monday thru Friday (7:00am - 3:00pm), to check on outside department police officers, college police officers and Auxiliary Police Officers
 - {1} This position would be offered and paid on overtime
 - {2} It would be first offered to Sgt's {Department Wide Overtime List}
 - Next, It would be offered to Lt's {Department Wide Overtime List}
 - (c) Allowing the 5/2 NPSOA members to change their work schedule to:
 - {1} 4 - ten hour days (40 hours of work)
 - {2} Designate one day during that week (Monday thru Friday) as a day detail sign up day
 - {3} Only allowed to do the 4-ten hour week if signing up for a day detail
 - {4} Only during the following months of (May, June, July, August & September)
 - {5} Five month trial / pilot program
 - {6} The Chief can cancel the program after the 5 month trial / pilot program

We look forward in meeting with the Chief and you soon.

Thank you,
Jay Babcock
President
NPSOA

From: john babcock <jaybabcock2175@gmail.com>
Sent: Thursday, February 9, 2017 3:35:37 PM
To: John M. Daly
Subject: Fwd: Draft Memo to Lt. Daly - Auxiliary Details

Lt. Daly:
John

After discussions among the NPSOA Executive Board and the union attorney, I am writing to you to set up a meeting with Chief MacDonald and yourself regarding the Auxiliary Police and attempting to agree on the language and conditions to allow the Auxiliary Police to work construction site details.

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 - {1} This position would be offered and paid on overtime
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Next, It would be offered to Lt's (Department Wide Overtime List)
 - (c) Allowing the 5/2 NPSOA members to change their work schedule to:
 - {1} 4 - ten hour days (40 hours of work)
 - {2} Designate one day during that week (Monday thru Friday) as a day detail sign up day
 - {3} Only allowed to do the 4-ten hour week if signing up for a day detail
 - {4} Only during the following months of (May, June, July, August & September)
 - {5} Five month trial / pilot program
 - {6} The Chief can cancel the program after the 5 month trial / pilot program

We look forward in meeting with the Chief and you soon.

Thank you,
Jay Babcock
President
NPSOA

Details

John M. Daly

Tue 1/29/2019 8:57 AM

To: Newton Police <newtonpoliceassociation@gmail.com>; Newton Superior Officers <npsoa1@yahoo.com>;
Cc: David L. MacDonald <dmacdonald@newtonma.gov>; Jeffrey A. Honig <jhonig@newtonma.gov>;

1 attachments (1 MB)

NPA and NPSOA detail 012919.pdf;

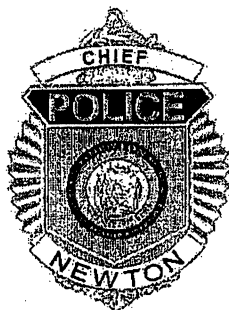
Dear Sirs,

Please see attached documents.

Regards,

Lieutenant John Daly
Executive Officer
Newton Police Department
Office 617-796-3610
jdaly@newtonma.gov

19



City of Newton
Police Department



TELEPHONE
(617) 796-2101
FAX # (617) 796-3679

Office of the Chief of Police

HEADQUARTERS

1321 WASHINGTON STREET
NEWTON, MASSACHUSETTS 02465

LT. JOHN M. DALY
EXECUTIVE OFFICER
January 29, 2019

Dear President Babcock and President Panica,

Please see attached docket letter from Mayor Fuller to the City Councilors regarding the proposed city ordinance changes regarding Police details. In the letter, the Mayor states the City of Newton will hire people with prior experience in law enforcement or people pursuing a career in law enforcement with specific identifiers to fill these positions:

Retired Police Officers
Newton Auxiliary
Retired MA sheriffs
Retired MA State Police
If additional personnel are required; college seniors.

In addition please see attached NPA and NPSOA joint document given to the Chief and the XO in 2016 during a joint detail meeting to address filling future details. This document is from the unions and contains ideas to remedy the detail staffing problem.

Recently the Chief was asked about the intention of the Chief and the Mayor to use civilian flaggers in Newton. There appears to be a play on words as to who will be used to fill these details. We have worked with the union recommendations (attached) to use Newton Auxiliary Officers and college interns at the request of the unions. Neither of these individuals would be armed or have police powers and are considered civilians. If we continue to do nothing the system cannot sustain itself.

I have supplied both unions with draft directives to include a general order and SOP. I have not heard back from either union, except rumors. This situation needs to be resolved jointly. Please respond in writing any concerns or suggestions about this process so we can address them.

Regards,
Lt. Daly

FIRST ACCREDITED CITY POLICE DEPARTMENT IN MASSACHUSETTS



SUPPLEMENTAL TRAFFIC DETAIL ORDINANCE

DRAFT FOR DISCUSSION 1/10/19:

ADD a new section 24-11 as follows:

Sec. 24-11 Supplemental Traffic Detail

The chief of police may appoint, subject to the approval of the mayor, persons to be known as the Newton Supplemental Traffic Detail to direct traffic at construction sites as needed within and about the public way, and who shall be paid when actually employed by the order of the chief of police. Such Supplemental Traffic Detail personnel shall obey all lawful orders of the chief of police and be subject to all the rules and regulations of the police department not inconsistent with their authority and duties. Appointment to the Supplemental Traffic Detail under this section does not entitle that person to assignment to any detail. Persons appointed under this section shall not work more than 19.5 hours in a seven-day work week.

AND AMEND Sec. 19-46 as follows (new language in red):

Sec. 19-46. Police to direct traffic; construction sites; direction in event of fire or emergency.

It shall be the duty of officers designated by the chief of police to enforce the provisions of this chapter. Only sworn officers, retired special police officers appointed pursuant to Sec. 24-6, and when neither is available, supplemental traffic detail personnel appointed pursuant to Sec. 24-11, are hereby authorized to direct all traffic either in person or by means of visible or audible signals in conformance with the provisions of this chapter, including at construction sites in the public way. However, in the event of a fire or other emergency, to expedite traffic or safeguard pedestrians, officers of the police or fire department may direct traffic as conditions may require, notwithstanding the provisions of this chapter.

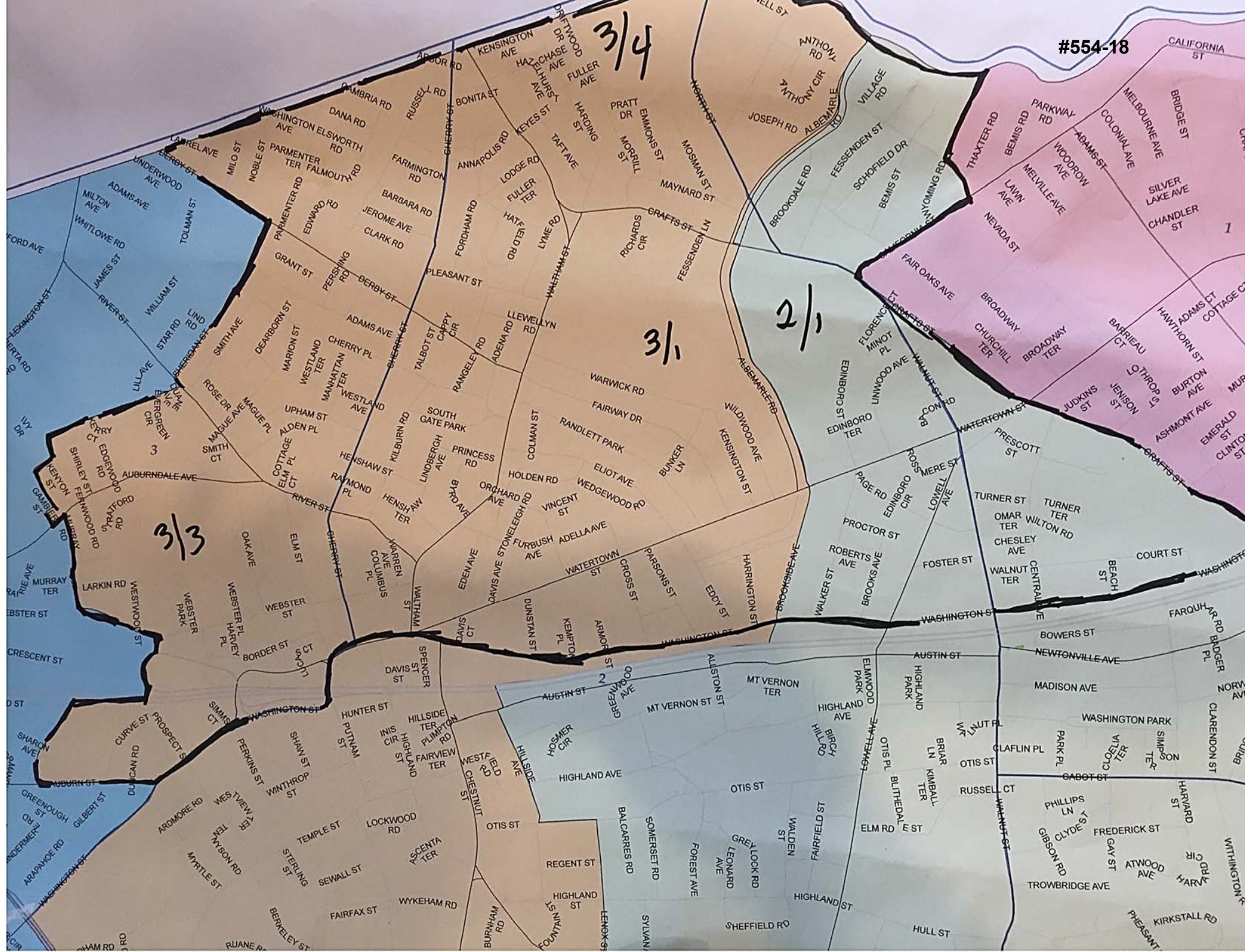
#554-18

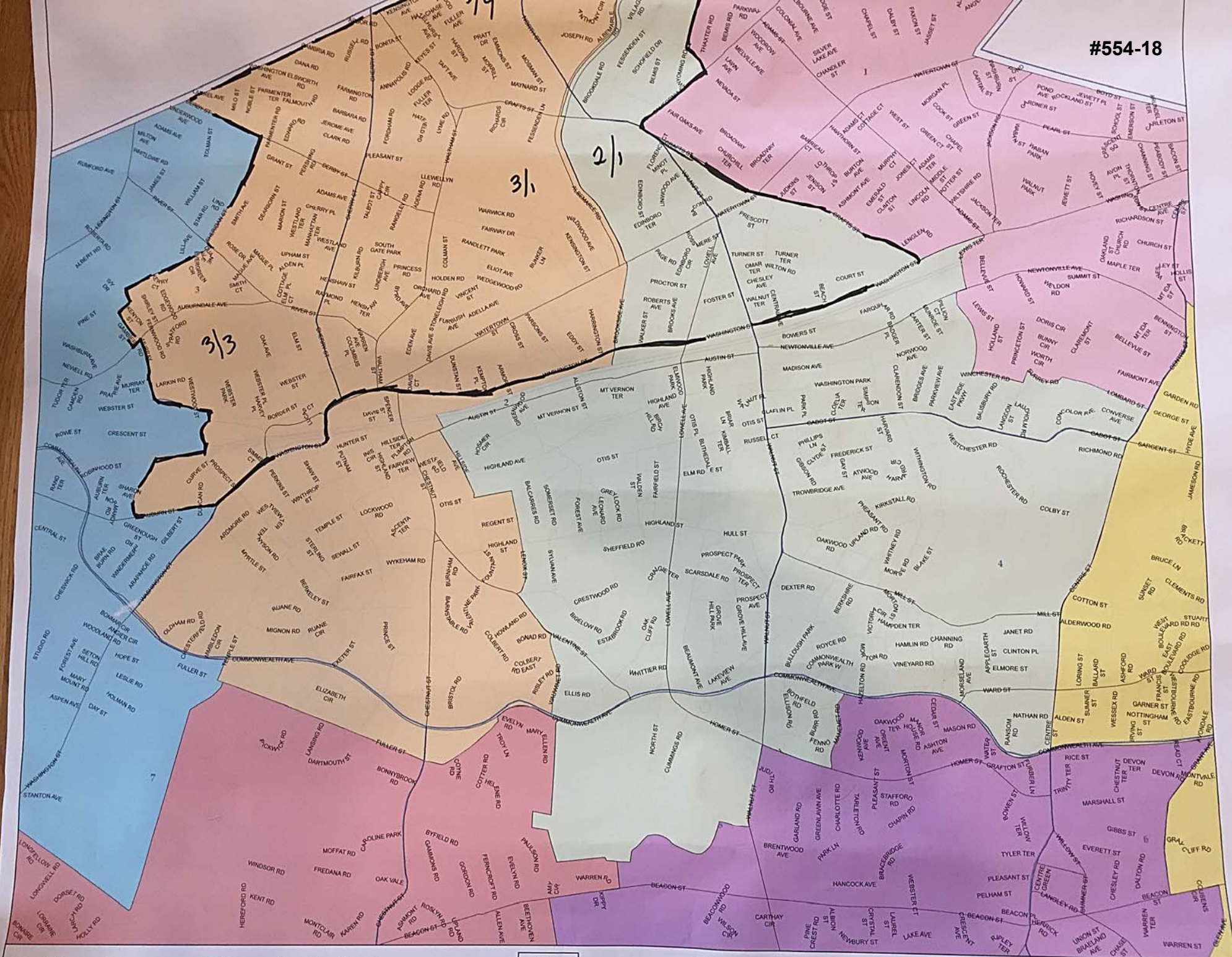
3/4

3/1

2/1

3/3





Police Beats - Wards 2 & 3

The information on this map is from the Novato Geographic Information System (GIS). The City of Novato cannot guarantee the accuracy of this information.

