



MANAGER'S REPORT FOR APRIL 5, 2013
GENERAL INFORMATION AND RESPONSES TO MAYOR & COMMISSIONER REQUESTS

Places to be this Week...

Village Council Meeting – The Village Council meeting will be held on **Tuesday, April 9 at 7 p.m.** in the Council Chambers at Village Hall.

Future Calendar Reminders...

Village Council Meeting – The Village Council meeting will be held on **Tuesday, April 16 at 7 p.m.** in the Council Chambers at Village Hall.

Railroad Enforcement - Attached is a memo with additional information regarding the Village's efforts to reduce incidents on the Burlington Northern Santa Fe (BNSF) railways. The memo provides a five-year summary of incidents on the railways within Downers Grove, a summary of enforcement efforts and additional information on funding that may be available for safety measures.

Texting/Cell Phone Use While Driving - In response to a Village Council member's inquiry, staff has compiled information on citations issued by the Police Department for violations of laws prohibiting cell phone usage in school and work zones and texting while driving.

During the period of January 1, 2012 through April 3, 2013, the Downers Grove Police Department issued 72 traffic citations for violations of the Illinois Vehicle Code regarding cell phone usage in school/work zones. Officers also wrote 84 warning tickets for the same offense. During the same period, the Police Department issued 20 traffic citations for violations of the Illinois Vehicle Code regarding texting while driving. Officers also wrote 29 warning tickets for the same offense.

Table: Violations from January 1, 2012 to April 3, 2013

Violation	Citations Issued	Warnings Issued
Cell Phone Usage in School/ Work Zones	72	84
Texting While Driving	20	29

There is pending legislation (House Bill 1247) that would prohibit cell phone usage while driving on a state-wide basis with limited exceptions such as the use of hands-free devices and exemptions for public safety officials in emergency situations. The bill has passed in the House by a vote of 64-46. The Bill has since moved on to the Senate. Staff will continue to monitor the bill's progress.

Illinois Clean Water Initiative - Attached is an invitation to Council members to attend an event with Governor Quinn and County Board Chairman Cronin regarding the Illinois Clean Water Initiative on April 16

at 11 a.m. at the DoubleTree Hotel. This event is preceded by the Grunfos groundbreaking event at the same location.

ATTACHMENTS

Railroad Safety Memo

Invitation to Clean Water Initiative Event

Date: April 5, 2013
To: Mayor and Council
From: David Fieldman, Village Manager
Subject: **Railroad Enforcement**

At the request of the Village Council, staff is providing a summary of the efforts to enforce railroad safety measures.

Jurisdiction of Railroad

The four miles of railroad tracks that run through Downers Grove are owned, operated and maintained by the Burlington Northern Santa Fe Railroad, which is a subsidiary of Berkshire Hathaway. Under state law, BNSF is allowed to maintain its own police force and all its officers are certified by the State of Illinois. The BNSF police officers can make arrests and issue citations related to crimes against the railroad (trespass, vandalism, theft, crossing violations, etc). Local police can enforce most of these same violations and in many cases work in conjunction with the BNSF Police Department.

Attributes of Crossings

Downers Grove currently has five railroad crossing and one underpass. The crossing locations are Fairview Avenue, Maple Avenue, Washington Street, Main Street, Forest Avenue and the underpass is located at Belmont Avenue. All the crossings are equipped with lights, bells and gates, including the pedestrian crossings at those locations. There is no second-train warning system. With the three tracks, there are 10.89 miles of tracks within Downers Grove

History of Incidents

An approximate five year review of all railroad crossing related occurrences revealed six incidents. Those incidents are as follows:

Summary of Incidents, January 1, 2008 to Present

Date	Location	Nature of Incident
1/22/2008	Maple Ave. Crossing	Car turned E/B onto tracks into path of W/B train. Resulted in death of driver
1/19/2009	Rear of 433 Maple	Motorist turning around behind building got vehicle stuck on tracks. No injuries but vehicle was struck.
12/20/2010	Fairview Crossing	Car turned W/B onto tracks. Driver believed she was turning onto Burlington Ave. from Fairview. No injuries.
9/11/2011	Main St. Crossing	Intoxicated Pedestrian leaned over platform too far and was "clipped" by a passing train. Severe laceration to head.
11/9/2011	Main St. Crossing	Pedestrian standing on railroad track was struck and killed.
3/19/2013	Forest Ave. Crossing	Pedestrian standing on railroad track was struck and killed.

Enforcement Activity

The Police Department has consistently enforced railroad crossing violations and has made it a priority for staff. In 2013 the police department has completed four railroad crossing details in which Downers Grove officers partnered with BNSF Police officers (5 to 6 officers total per detail). These details were conducted in February and March at both the Washington Ave. and Main St. crossings between the hours of 6 and 8 a.m. During these four details only one vehicular violation was observed and a citation was issued.

Police department personnel are also expected to provide foot patrol in the downtown area every spring/summer with an emphasis being placed on patrol around the train station and platforms. Officers are directed to conduct “premise checks” at the parking deck and Main Street Depot every year with an emphasis being placed on the platforms. During 2012, the police department provided a total of 2,484 premise checks within those two areas or almost 7 checks per day. This requires the officers to check the area on foot and take any enforcement action necessary.

A five year review of police department enforcement activity at the crossings is listed below:

Village Enforcement Activity, 2008 to Present

Violation	Citations	Warnings
Disobeyed signal indicating approach of train	60	103
Failure to stop at railroad crossing	18	19
Pedestrian: Failure to yield at crossing	108	42
Total	186	164

Lastly, staff contacted the BNSF Police Department to determine how many enforcement details and citations their department issued in Downers Grove in 2012. The BNSF Police Department conducted 5 enforcement details in Downers Grove resulting in 48 citations and numerous warnings in 2012. The Downers Grove Police Department has planned to conduct several more railroad crossing enforcement details with the BNSF Police Department.

Grants

In an effort to determine what if any grant funding was available for railroad safety, staff contacted Mr. Steve Laffey, Railroad Safety Specialist with the Illinois Commerce Commission (ICC). Staff has worked with Mr. Laffey for many years on the Public Education and Enforcement Research Study (PEERS) Program. This program supported monthly Operation Lifesaver presentation and vehicle/pedestrian enforcement initiatives at Village grade crossings between 2003 and 2011. Funding was supported at 100% of the costs incurred by the Village. The Railroad Safety Grants were federally funded through the Federal Railroad Administration and administered through the Illinois Commerce Commission. The funds covered Education Labor and Materials plus Enforcement Labor and Materials. As of January 1, 2012, funding under the PEERS Program is no longer available. Below is summary of funding provided by the PEERS program:

Award Year	Funding
2003-2005	\$25,625
2006-2007	\$17,272
2009	\$16,623
2010	\$ 9,420
2011	\$10,617
Total	\$79,557

The ICC has a crossing safety improvement program in place that is funded by the Grade Crossing Protection Fund (GCPF). This program receives money from the Motor Fuel Tax Fund. This program is administered by the ICC for local roads and streets. The Village may apply to have a project included in the FY14-19 program. The GCPF helps pay for the following types of projects:

- Warning Device Upgrades
- Grade Separations (New and Reconstructed)
- Grade Separations (Vertical Clearance Improvements)
- Pedestrian Grade Separations
- Interconnects (upgrading circuitry)
- Highway Approaches (public roadway directly adjacent to the crossing surface)
- Connecting Roads
- Remote Monitoring Devices
- Crossing Closures

GCPF pays up to 60% grade separation projects and 85% to 95% grade crossing improvements. Projects begin in July and end in June the following year.

Automated Enforcement Systems

One option for railroad crossing enforcement would be to install an automated camera system. However, this system can only be used to enforce violations related to vehicular traffic and not pedestrian traffic. The system must be able to produce two pictures, one of the vehicle and one of the vehicle's registration. Police officers would have to be assigned to review and approve all violations prior to a citation being issued. In these cases, the citation would be issued/mailed to the owner of the vehicle and not the driver. Any local municipality interested in this option would first have to pass a local ordinance and then coordinate with the Illinois Commerce Commission prior to installing such a system.



DANIEL J. CRONIN

COUNTY BOARD CHAIRMAN

DuPage County

(630) 407-6060

April 4, 2013

Dear Municipal Official,

I would like to invite you and your staff to join Governor Pat Quinn and myself **at 11 a.m. on Tuesday, April 16, at the DoubleTree Hotel, 2111 Butterfield Road, Downers Grove**, for an event regarding the Illinois Clean Water Initiative.

As you know, Governor Quinn launched the Illinois Clean Water Initiative in the fall of 2012 to provide \$1 billion in low interest loans to local governments and sanitary districts to assist with the overhaul of Illinois' aging water infrastructure. Experts expect the initiative to create thousands of jobs, better protect public health and drive community and business growth around the state.

Under the Illinois Clean Water Initiative, financing is available for numerous projects including:

- Modernizing wastewater treatment plants to meet water quality standards;
- Replacing aging water mains and sewers; and
- Updating drinking water treatment facilities.

Additional details about the initiative can be found by visiting cleanwater.illinois.gov/.

Officials from the Illinois Environmental Protection Agency (IEPA), Illinois Finance Authority (IFA) and Department of Commerce and Economic Opportunity (DCEO) will be on hand to illustrate how the new water infrastructure financing program can benefit your community.

I encourage you to attend this meeting on Tuesday, April 16th, with Governor Quinn to learn more about this low interest loan program. Please RSVP by calling 630-407-6060 or email your response to Chairman@dupageco.org.

Sincerely,

Daniel J. Cronin
Chairman, DuPage County Board

Pat Quinn
Governor, State of Illinois