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Paul Mangiafico Brian Budd Joel Faxon Andrew Sachs James Viadero

# TOWN OF NEWTOWN

BOARD OF POLICE COMMISSIONERS

# MINUTES FROM THE BOARD OF POLICE COMMISSIONERS REGULAR MEETING HELD TUESDAY, FEBRUARY 7, 2012 IN THE MEETING ROOM OF TOWN HALL SOUTH 3 MAIN STREET, NEWTOWN

\*These minutes are not finalized until approved At the next regularly scheduled meeting.

Chairman Paul Mangiafico called the meeting to order at 7:30 pm.

PRESENT: Brian Budd, Joel Faxon, Paul Mangiafico, Andrew Sachs and James Viadero

**ABSENT:** none

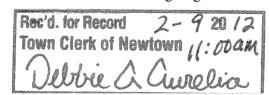
**ALSO PRESENT:** Police Chief Michael Kehoe, Police Captain Jose Rios, Police Union President Scott Ruszczyk, Land-Use Director George Benson, 1 member of the press and 5 members of the public.

### **PUBLIC PARTICIPATION:**

<u>Dan Shea, 44 Queen Street</u>, explained that he was present that evening to continue the discussion regarding the speeding on Queen Street. Mr. Shea asked Commissioners if they had given the matter anymore thought since the meeting last month.

Commissioner Faxon told Mr. Shea he had given a lot of thought to what was discussed last month and had reviewed material the Chief had given them regarding Queen Street back into the 1990's. The Commissioner noted that a couple of years ago there was a recommendation made by the Board of Police Commissioners to install speed tables. He added that this was never done. Commissioner Faxon also noted that the Board had recommended that sidewalks be placed on the Eastside of Queen Street. He stated that he didn't know why these weren't implemented, but noted that a "Safe Ways to School Grant" was being sought. Commissioner Faxon stated that he was in favor of slowing traffic down on Queen Street.

Mr. Shea alluded to an article in *The Newtown Bee* on August 4, 2011 in which the former Board of Police Commissioners Chairman Duane Giannini reportedly assured Queen Street residents that the Town would have a traffic study done and that there were funds to do such a study in 2012. Furthermore, Mr. Shea stated that the former Chairman had suggested that speed tables were not the only solution and noted that the Town could also use a "neck-down" approach. Mr. Shea concluded indicating that the former Chairman had reassured residents that Police Commissioners had not forgotten Queen Street and they intend to do something about it. Chairman Mangiafico stated that he had received the information packet from the Chief at home regarding Queen Street and was "stunned" at how thick it was. He suggested that it was clear to him that they had a problem there. The Chairman reported that he had spent at least an hour observing traffic on Queen Street before the meeting and noted that people do speed on the street. He added that he observed people in SUVs talking on phones and saw school buses going



"pretty fast," too. Chairman Mangiafico said he was "appalled" that this has gone on as long as it has, but was quick to note that he was not saying no one had tried to find a solution to the problem. He added that they should not allow this to go on too much longer and said he intends to get something done sooner than later. The Chairman indicated that the previous Board had unanimously voted for three traffic calming devices – "speed bumps", but suggested he doesn't know whatever happened following that decision. He reaffirmed his stance that he 'will not let this thing sit idle again."

Mr. Shea reminded commissioners that two paid studies were done and asked "what of any substance" had come out of those studies that will be implemented.

Chief Kehoe noted that the driveway at the school had been reconfigured to provide for better access and egress and was done as a result of a study.

Mr. Shea asked if anything had been done regarding lower Queen Street and Chief replied that they were using education and reinforcing it with enforcement.

Mr. Shea noted that the police were truly visible on Queen Street but suggested that Newtown is too big to maintain and something must be done physically to keep people from speeding. He added that the opening of Wasserman Way caused Queen Street to go from a quiet area to a busy one.

Chairman Mangiafico reported that the Board had received a letter (*attached to the evening's minutes*) from resident Bob Geckle that was 4 or 5 pages long and put a timeline to events regarding Queen Street.

According to the Chairman, Mr. Geckle suggested that in the last 11 years Queen Street traffic speeding issues had been discussed 65 % of the time. Chairman Mangiafico stated that they have an obligation to reach a conclusion as to what they are going to do and get it done.

Erin Misuda, 10 Grand Place, told commissioners she had lived there for six months and had moved to the borough so they could walk to Town. She reported that during that time she had 5 incidents trying to cross Glover. Mrs. Malloy noted that it was "unbelievable how fast people are driving" up and down Queen Street. According to Mrs. Malloy, one such incident occurred on Friday, December 9, at 11:15am when she was standing waiting for the bus to come and pick up her child for kindergarten. She stated that the bus had stopped on corner with its lights on and a car barreled around the bus. Mrs. Malloy said that the kids were terrified and the bus driver was upset.

<u>Frank Servidio 25 Castle Meadow</u>, told Commissioners that he sees cars going around buses and through stop lights left and right – all over, not just Newtown. He is a professional driver and drove gasoline tankers for Mobil for many years, but now he can't go from the library to his house without people tailing him. He added that driving use to be a pleasure but now it's too stressful.

## POLICE UNION PARTICIPATION:

Union President Scott Ruszczyk indicated the Union had nothing to report at this time.

CONSIDERATION AND ACTION OF THE MINUTES FOR: REGULAR MEETING JANUARY 3, 2012 – Commissioner Viadero moved to accept the minutes of the regular meeting of January 3, 2012 and addendum to the minutes. Commissioner Sachs seconded and the motion was unanimously approved.

Chairman Mangiafico request that the items under Unfinished Business be moved up on the agenda so that Land-Use Director George Benson would not have to stay at the meeting longer than necessary.

#### **UNFINISHED BUSINESS:**

# Presentation and Discussion on Plan of Conservation and Development (POCD) - Mr.

Benson informed Police Commissioners that the POCD is supposed to be revised every 10 years and indicated that the new one is due in 2014. He noted that a lot of issues have come up with the current one which was done by a consultant in 2004. Mr. Benson reported that the new one would be done in house to correct these problems and save the Town money. He told Commissioners that he was asking for their comments on it.

Mr. Benson told Commissioners that the POCD was very important because it was a "blue print" for future development of the Town and noted that of they are going to get money allocated from the CIP they have to put their needs into the plan.

Mr. Benson indicated that the Board of Selectmen was the primary movers of the POCD and indicated that they would not be getting to traffic for another 3 months or so.

He noted that originally the input of the Commissioners was limited, but he thinks they should have more.

Mr. Benson reminded the Police Commissioners that they don't need a "finished product" just thoughts and comments. The Chief suggested updates on such things as taser information and flashing lights for the crosswalks. Mr. Benson agreed and urged the Board to think about things they will need to focus on for the next 10 years and offered to come to the Board's meetings if necessary.

Chairman Mangiafico indicated he identified 17 or 18 items on the current POCD that they needed to review.

Commissioner Faxon suggested they group the items and Chairman Mangiafico said he would put them on the agenda for future meetings.

Presentation and Discussion on Sidewalk Planning Town of Newtown- Mr. Benson showed Commissioners a map of the conceptual sidewalk plan. He noted that originally they were looking at the schools on Town for the Safe Routes to Schools and the plan evolved from there. Mr. Benson indicated that there was a very good chance they would receive funding for a sidewalk from Glover down to Walgreens along the Eastside of Route 25. He noted that they were pursuing another grant from Queen Street down.

Commissioner Faxon asked what side the sidewalk was applied for on the grant for Queen Street noting that the Commissioners wanted it on the Eastside. Mr. Benson indicated that the Grant application was for the Westside, but noted that it doesn't matter for the grant which side the sidewalk goes on.

Commissioner Faxon said that it seemed like the Eastside was the safer more intelligent side to put it on.

Chairman Mangiafico asked how much the Town would have to pay for and Mr. Benson indicated it was a straight grant - 100% paid for.

Mr. Benson noted that there were arguments for both sides regarding the proposed location of sidewalks on Queen Street—Selectmen for sidewalks on the Westside and the Police Commissioners for sidewalks on the Eastside; but he noted that the Selectmen have the final say. He said that Selectmen picked the Westside because the study suggested it due to the fact most of the children lived on that side.

Mr. Benson concluded saying they will do as much as they can with the Grant and they will know more in the next couple of months.

CHIEF'S REPORT: Personnel Report – Chief Kehoe noted that there was nothing to report. **Budget** – Fiscal Year 2011-2012 - Regarding the Budget for the 2011-2012 Fiscal Year, the Chief request that the Board add to the agenda the transfer of \$59 to cover an excess over the budgeted overtime. Commissioner Faxon moved to add the transfer of the \$59 to the agenda. Commissioner Viadero seconded and the motion unanimously carried. Commissioner Faxon asked of the overage was a result of the disasters and Chief Kehoe said no that the disasters didn't impact the overtime budget greatly at all. Moreover, the Chief indicated that the overage was due to the fact the budget was cut \$20,000 last year in that lone item. Fiscal Year 2012-2013 - Chief Kehoe said he was pleased to see the new commissioners at the Board of Selectmen meeting regarding the Police Department's budget. He added that it will move on to the Board of Finance next and then to the Legislative Council. He added that things were status quo at this point. Chairman Mangiafico thanked fellow Board members for being at the meeting. Fleet -The Chief reported they are still looking at fitting new cars and indicated that because the Ford Crown Victoria is no longer being made they still need to decide which type of vehicle to go with. Supervisor Training Program – Chief Kehoe indicated that the supervisor training was ongoing. **FTO Training** – The Chief noted that the FTO training is ongoing. He noted that one of the recent graduates started training and indicated that they had extended the training of one of the other three because they weren't comfortable with the FTO's seasoning yet. Chairman Mangiafico reported that he had attended the graduation a new officers and said he was impressed with the whole affair He indicated it was very worthwhile to see; and it was quire formal and well organized. The Chairman thanked the Chief for extending him the invitation. State's Letter Re: POST fees – Chief Kehoe told Police Commissioners that there was a letter in their packets from the State regarding the new POST fees. He noted that they had never been charged before and although the new fee of \$1500 seems cheap for a 20-week training session the Department still has to pay the trainees salary and benefits which can prove to be quite expensive. Drug Recognition Expert - Chief Kehoe reported that Officer Wood has done well in the training, so well in fact that they want him to be a trainer for the State of Connecticut. He noted that Officer Wood will be going for two weeks of training as a trainer and the State will pay for all the training expenses. Chief Kehoe noted that an added benefit is that once Officer Wood is trained he can train others in house. Letters of Gratitude - The Chief informed Commissioners the department had received several letters of gratitude. Correspondences – Chief Kehoe reported that there were six correspondences in their packets which were all selfexplanatory. Police Commissioners Association of Connecticut – The Chief asked that if any of the commissioners were interested to let him know.

CAPTAIN'S REPORT: Captain Rios informed Police Commissioners that they should all have copies of the Independent Analysis Report January 2012, Written Motor Vehicle Enforcement Reports, and DUI Written Report in their packets. Captain Rios indicated that in a comparison of January 2012 to January 2011 the number of motor vehicle contacts were up 93%. He added that there were for DUI arrests for January 2012. Monthly Traffic Enforcement Unit (TEU) January 2012 – The Captain highlighted the fact there were 129 motor vehicle stops for the month. Captain reported that Officer Ketchum, who is part of the Traffic Unit is also the Fire Hazmat Investigation Officer (FHIO) and he is assisting the Fire Marshall's Office in designating Fire Lanes. Monthly Detective Division Report by Lt. Sinko December 2011 – Captain Rios told Commissioners they have copies of Lt. Robinson's report regarding the detective divisions' activities and the school resource officers' activities

#### **NEW BUSINESS:**

Discussion, consideration and action on strategies for Queen Street area traffic concerns -

Commissioner Faxon suggested that the Board put a time frame on their strategies regarding the Queen Street area traffic concerns. He noted that there have been a lot of suggestions and studies in the past and feels he could endorse what the Board suggested be done in 2007. He urged fellow Commissioners to take immediate action.

Commissioner Sachs agreed noting it has gone on too long.

Commissioner Viadero agrees with the Board looking for immediate action. He said he ran up there and stated that the biggest offenders were people bringing kids to school. Commissioner Viadero suggested stepping up enforcement up there at specific times.

Commissioner Budd said he was in total agreement. He noted that the Key Rock Road project was done in 20 months, but this has gone on for years. Commissioner Budd suggested they do should do traffic pre-counts, in the spring put out the temporary speed bumps, collect the data and in the summer or fall get something done.

Commissioner Viadero believed that putting temporary speed tables on Queen Street will only serve to displace traffic somewhere else.

Chief Kehoe stated that they have \$15,000 in a account for professional services and he recommended they use the money to have an engineer help the Board sort through what will work for the South end of Queen Street. He added that there are 5,000 to 6,000 cars on Queen Street each day and he doesn't want to drop the number so much as slow them down.

Commissioner Faxon suggested that they need to get grant for the sidewalk to come down combined with the speed bumps. He stressed that something needs to get done before someone gets killed.

Chairman Mangiafico indicated he was disturbed at how long this has gone on for. He noted that 5 years ago the Police Commission said it was going to put traffic calming devices down on the road. The Chairman stressed that the Commission has to do something related to a timeframe. Commissioner Viadero recommended they make a motion to put the temporary speed bumps down.

Commissioner Sachs suggested that the temporary speed bumps would be immediate action and then from there they can install the permanent speed bumps.

Chief Kehoe noted that he will have the recommended locations of the speed bumps on Queen Street for the next meeting.

Commissioner Viadero moved to install 2 temporary speed bumps on Queen Street as soon as weather permits, with the addition of a third when purchased. Commissioner Saxon seconded and the motion was unanimously approved.

Discussion, consideration and action on any further improvements to Key rock Road traffic safety issues – Following a brief discussion about the pros and cons of adding another speed bump on Key Rock Road, Commissioners agreed to leave Key Rock Road as it is.

# Transfer -

Commissioner Sachs moved approve the transfer of \$59 from Personnel Account 01310-1004, Civilian, to Account 01310-1006, Civilian Overtime. Commissioner Sachs seconded and the motion carried unanimously.

**PUBLIC PARTICIPATION:** none

**COMMISSIONER'S PARTICIPATION:** none

**DISCUSSION AND POSSIBLE ACTION UPON STRATEGY AND NEGOTIATION WITH REGARD TO PENDING EMPLOYEE GRIEVANCES:** Commissioner Faxon made the motion to go into executive session at 9:50 pm for the purpose of discussion and possible action upon strategy and negotiation with regard to pending employee grievances; and invited Chief Kehoe and Captain Rios to attend. Commissioner Sachs seconded and the motion was unanimously approved.

At this time, the clerk left the meeting.

Ted Swigart, Clerk

# RECEIVED

Newtown Police Commission Town of Newtown Main Street Newtown, Ct. 06470

FEB U 3 2012

NEWTOWN POLICE

Attn: Chairman, Paul Mangiafico Chief of Police, Michael Kehoe

Feb. 2, 2012

Dear Sirs;

I had planned to attend the Feb. 7, 2012 Police Commission Meeting. However, due to a personal schedule conflict I will be unable to attend.

In lieu of presenting this material directly to the Police Commission, I have decided to send it to you in writing for your research and reflection, to be addressed at a meeting in the near future.

As background, the issue of Queen Street public safety has been raised by numerous residents over numerous years. To support this fact, I thought it would be enlightening to review Police Commission meeting minutes over the last decade. Attached is a very high level summary of meetings from Jan. 2000 through Jan. 2012 where either Queen Street residents personally appeared or the subject was discussed. For fairness, I also included other roads where public safety was discussed.

Interesting first fact: Queen Street safety issues have been discussed 72 times; 65% of the approximately 110 public meetings of the Commission.

Some important events documented in the attached summary are: Dec.4, 2001- John Reed, Superintendant of Schools report on a student hit by a car on Queen St.

March 4, 2003 – HVCEO Pedestrian Safety Report which was commissioned as a result of above pedestrian/car incident, was adopted by the Police Commission.

Nov.3, 2004- In response to ongoing resident complaints, HVCEO engaged to conduct a second study, called the Greater Queen St. Area Traffic Improvement Study, study issued 8/2006.

April 3, 2007- Police Commission unanimously motioned to install three Speed Calming Tables on southern Queen St. as recommended by above study.

Nov. 7, 2007- On Oct. 17, 2007 child critically injured by hit and run driver on southern Queen St.

Dec. 1, 2009- Key Rock Rd. residents begin speed calming efforts; 20 months later permanent speed tables are installed.

Oct. 5, 2010- Commission Chair indicates a new study for Queen St focused on speed calming will be initiated.

Jan. 3, 2012- Queen St. resident makes impassioned appeal for improving public safety on the road.

Of course, the pregnant question is what has happened as the result of these 11 years of efforts. Several positive steps include larger speed limit signs, re-lining of the road, increased Police radar presence, electronic speed signs and safer crosswalks at the Middle School. The radar monitoring efforts of Officer Maryhelen McMarty deserves particular recognition... she is a dedicated, conscientious Police Officer.

The next question is what has not happened. The latest speed monitoring in July of 2009 showed no significant drop in speed from a study conducted in 2004...the 85% percentile being over 40 m.p.h. The unanimous vote in April, 2007 to install three speed tables on Queen St. was not implemented. The pledge to conduct another study on speed calming techniques was not implemented.

It is important to point out, that while the Commission voted on speed tables, the HVCEO report of Aug. 2006 clearly identified other speed calming techniques such as "neck downs". Consequently, conducting another study could be viewed as redundant.

At any rate, 11 years later we are still faced with serious public safety issues on Queen Street.

All residents of Queen Street look forward to a review and most importantly, action, on the matter by a newly populated and energized Police Commission.

Very Truly Yours, Wolft Suble

Robert Geckle

35 Queen Street Newtown, CT.06470

# TOWN OF NEWTOWN

#### POLICE COMMISSION MINUTES

### 2000 - 2010

## 2000

January 4: Queen Street Speeding and Safety Issues. February 1 Butterfield Road Speeding and Safety Issues. March 7 -Butterfield Road Speeding and Safety Issues. April 4 -Town Attorney Grogins offers opinion that Speed calming tables are not a liability. Cites Wesport. Queen, Currituck, and Butterfield cited as possible sites. May 2 -Speed tables not supported by Selectman, Town Engineer and Public Works. June 6 -Butterfield Road and Boulevard. September 5 Queen Street and Church Hill Road Right Turn. October 3 -Toddy Hill Road.

November 8 -**Butterfield Road** 

December 5 -Butterfield Road and Queen Street Shopping Center Crosswalk.

#### 2001

Queen and Shopping Center Crosswalk January 1 -February 6 -Queen and Shopping Center Crosswalk April 3 -Queen and Shopping Center Crosswalk May 1 -Queen and Shopping Center Crosswalk June 1 -Queen and Shopping Center Crosswalk July 3 -Queen and Shopping Center Crosswalk July 7 -Queen and Shopping Center Crosswalk September 4 - Currituck and Butterfield Speeding October 2 -Butterfield November 7

HVCEO report on traffic issues in Newtown released. December 4 -Extensive discussions on Middle School Safety issues. Includes report by Dr. John Reed that one student was hit

the previous week and a woman was hit last year.

HVCEO was also there and recommended a formal study.

# 2002

January 8 -Queen Street traffic issues March 5 -5 Queen Street residents appear to discuss Queen Street Safety issues including aunt of child hit in October of 2001. Draft of Pedestrian Safety Plan reviewed. Forecast to start Implementation in fall of 2003. May 7 -Hawley School appears to express traffic safety concerns. June 4 -Chief meets with Connecticut Bicycle Coalition to discuss safety issue on Queen and Glover. August 6 -**HVCEO** takes over Connecticut Bicycle Coalition issues. September 3 - Elm Drive Speeding - Speed tables/stop signs. November 6 -Budd Drive/Boulevard. December 3 -Queen Street and buses turning left on Wasserman Way/Mile Hill . Obtuse Road Speeding. January 7 -Buses on Queen Street southbound.

#### 2003

Queen Shopping Center safety concerns. February 3 -**Buses on Queen Street** Queen Pedestrian Safety Issues - suggestions by DOT. March 4 -Queen pedestrian safety including adopting HVCEO Report. **Public Comment Session included** April 1 -Pedestrian Safety Plan Issued. Southbound buses on Queen. May 6 -Southbound buses on Queen. June 3 -Southbound buses on Queen. July 1 -Southbound buses on Queen. August 5 -Southbound buses on Queen. September 2 - Planning & Zoning recommends Queen and Elm oneway and establish a traffic review committee. Opposed by Police Commission.

2004

March 2 - Boulevard
August 3 - Elm Drive
September 7 - Elm Drive

Queen and Church Hill Road

October 5 - 8 residents of Queen Street attend meetings to plea for action including

Merryhill Day Care

November 3 - Report that First Selectman will engage HVCEO for another study.

Traffic count at 5800 cars/daily – 3500/Sunday.

December 7 - Queen Street radar study. Chief Kehoe to meeti with Pitkoff

re: buses and with First Selectman on issue on Queen Street.

<u>2005</u>

May 1 - Schoolhouse, Wendover, Boulevard.

May 3 - Queen Street including southbound buses.

Crosswalk for Queen Street and Church Hill Road

June 6 - Queen Street including speed, buses and pedestrian safety.

July 6 - Queen Street including speed, buses and pedestrian safety.

September 9 - Queen Street including speed, buses and pedestrian safety.

November 1 - Queen Street including speed, buses and pedestrian safety.

December 6 - Queen Street including speed, buses and pedestrian safety.

2006

August Queen Street Area traffic improvement plan issued.

December 5 - Toddy Hill Road

2007

March 6 - Queen Street Safety Issue discussion on report on Queen Street

Area traffic Implement Plan.

April 3 - Discussion on Queen Street Area Traffic Improvement Plan.

Motion to install three speed tables on Queen Street and unanimously

approved.

May 1 - Discussion on Queen Street area traffic study.

June 5 - Presentation of Queen Street Area Traffic Study and public discussion.

July 5 - Special meeting on Queen Street Area Traffic Improvement Plan.

July 10 - Queen Street Speed Tables.

September 4 - Queen Street/Glover Intersection.

October 7 - Crosswalk at Meadow Road approved. Stop signs southbound on Queen at

Glover discussed.

November 7 - October 17 child critically injured by hit and run drive on southern

Queen Street.

Toddy Hill Road.

October 4 - Queen Street issues and status of crosswalk at Meadow Road.

2008

January 3 - Dr. Trow, Step Father of child hit on Queen Street pleads for speed

Tables.

April 4 - Butterfield Road and traffic calming.

May 6 - Queen and Glover intersection.

Dr. Trow again pleades for action regarding his step son.

Queen and Meadow crosswalks update and Middle School crosswalks.

June 3 - Dr. Trow again asking for action.

8 residents of Queen Street appear to ask for action.

Stop sign at Queen and Lovell proposed. Motion to do study approved 3 to 1.

August Stop sign at Queen and Lovells or Elizabeth.

October 7 - Queen and Glover intersection.

November - Crosswalk at Glover and Meadow.

2009

July 7 – 85% speed on Queen down 1 mph – not significant.

October 6 - Sidewalks on Queen Street.

December 1 - North Branch Road, Key Rock Road; Boulevard. Lights at Eaton Center.

2010

January 5 - Glover Avenue speed tables Key Rock Road.

Crosswalk Signage

Queen/Glover traffic studies...All Commissioners agreed no point in discussing

any further.

February 2 - Queen Street Resident and North Branch Road

May 4 - North Branch Road

**Eaton Plaza traffic lights** 

June 1 - Great Quarter Road

Main Street

North Branch Road

August 3 - North Branch Road

September 7 - Queen and Glover Intersections.

Feb. 2, 2012 Update Town of Newtown Police Commission Minutes

# 2010 (continued)

- Oct. 5-Queen Speed, crosswalks, curb cut
- Nov. 2-Resident inquires about speed tables on Queen St.; Key Rock Rd., Mile Hill South
- Dec. 7- Castle Hill Rd speed and crosswalk safety; Key Rock Rd., Glover Ave. Crosswalk

#### 2011

- Jan 4- Queen and Glover stopsign; crosswalk; Key Rock Rd.
- March 1- Queen St. traffic calming
- April 5- Queen and Glover crosswalk; Boggs Hill Rd., Key Rock Rd.
- May 3- Queen St. tables/crosswalk and new speed calming study discussion; Key Rock Rd., Mt Nebo Rd.
- June 8- Queen St. traffic calming discussion; Great Quarter Rd. speeding, Key Rock Rd.
- Aug. 2- Queen St. resident discussed speeding/calming issue; Key Rock Rd.
- Sept. 6- Queen St. sidewalks; Key Rock Rd. speed tables installed
- Oct. 4- Middle School crosswalk safety; flagpole
- Dec. 6- Queen St. curb cut and crosswalks

#### 2012

Jan 3- Queen St. resident discusses speeding issues; Key Rock Rd., flagpole