



TOWN OF NEWTOWN
BOARD OF POLICE COMMISSIONERS

MINUTES FROM THE BOARD OF POLICE COMMISSIONERS
REGULAR MEETING HELD TUESDAY, APRIL 3, 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 7:32 pm.

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

ABSENT: none

ALSO PRESENT: Police Chief Michael Kehoe, Captain Jose Rios, Police Union President Scott Ruszczuk, 1 member of the press, and 1 member of the public

Chairman Mangiafico indicated that Commissioner Viadero would be arriving late and asked that it be reflected in the record the time when a Commissioner arrived late. Commissioner Viadero arrived at 7:38 pm.

PUBLIC PARTICIPATION: Bill Vayan, 9 Fleetwood Drive, Sandy Hook, told the Board that compared to what the last year's Commissioners did to this year's, he sees some progress. In addition he noted that there were 5 sectors in Town and asked if they would ever consider adding another. Mr. Vayan noted that when he was doing his ride along it seemed that it took a long time going from one side of the sector to the other.

Chief Kehoe indicated that the sectors have been the way they are for as long as he has been with the department. He said he recognizes they could modify them but wants to combine that with a crime analysis. Furthermore, the Chief noted that one of the challenges to effective policing is the long distances between sectors or cruisers.

The Chief noted that this was going to be a part of his 5-year plan moving forward in the next 7 or 8 months.

Commissioner Faxon asked how the sectors were divided up. The Chief suggested that they try to divide it up - 5 sectors 5 officers each shift; but added that the minimum was 4 officers. He noted that in the case of 4 officers, the area in the 5 sectors would be divided up equally.

Chief Kehoe indicated that getting around the sectors was difficult too, from one location to another; and he suggested that he would like to throw into the mix GPS software to get the car that's the closest.

POLICE UNION PARTICIPATION:

Union President Scott Ruszczuk reported that things are going well with the Union.

CONSIDERATION AND ACTION OF THE MINUTES FOR: REGULAR MEETING MARCH 6, 2012 – Commissioner Faxon moved to accept the minutes of the regular meeting of March 6, 2012 as corrected. Commissioner Viadero seconded and the motion was unanimously approved.

Corrections: Page 1, line 10, under Public Participation, add “of” after “subject” and before “a”
Page 1, under Consideration and Action of Minutes, change date in header and motion from March 6, 2012 to February 7, 2012.

Page 2, line 16, under Unfinished Business, change word “of” to “if”

Page 2, line 29, under Unfinished Business, change word “elevate” to “address”

Page 4, line 6, change the word “if” to “of”

Page 6, line 16, under Commissioners Participation, change “bother” to “both”

Page 6, motion under Executive Session, change “Chairman Faxon” to “Commissioner Faxon”

Page 5, Under Unfinished Business, POCD, Chief Kehoe indicated that he had suggested the POCD get back to the Police Department for review and modifications with some input from the HVCEO.

CHIEF’S REPORT: Personnel Report – Chief Kehoe indicated that they still have a promotional exam to give. He added that the last one expired in January and the Department plans to give one in June. **Budget** – the Chief told Commissioners that they had a copy of the current budget in their packets with a report from the Department of Finance. He indicated that they were doing better on Over Time. Fiscal Year 2012-2013 – Chief Kehoe reported that the budget was with the Legislative Council and that they had received nothing back as far as reductions. **Fleet** – The Chief reported that all the cars have been ordered and are scheduled to arrive in June. Chairman Mangiafico asked if the costs had gone up and the chief said yes by approximately \$3,000. Chief Kehoe indicated that the increase in cost was due to several issues one being that they have to retrofit the cars because they are unable to get Crown Victorias. **Training Report** – Chief Kehoe indicated they are having their last Supervisor Training Program session with Bill Riley and stated that it has gone very well and was very well received. FTO Training – The Chief reported that they have one officer in Phase III of his training. **Letters of Gratitude** – Chief Kehoe informed Commissioners the department received three letters of gratitude for the following officers: Officer McCarthy, Officer Ketchum; and Officers Hull and Mulhall. **Correspondences** – the Chief informed Commissioners they had several correspondences in their packets – a letter from the STC regarding pre-emption devices; a letter to the DOT Commissioner regarding Wasserman Way; a letter from the U.S. Marshall Service regarding Federal Asset Forfeiture, Dr. Evans; and a letter from the STC regarding Wasserman Way request. **DARE Culmination** – Chief Kehoe noted that DARE culmination is coming up and will be held during the day now to avoid any scheduling conflicts. The ceremony will take place in the Reed Intermediate School Cafetorium from 8:30 am to 9:30 am Tuesday, June 19, 2012. **Noise Complaints on and around Newtown** – The Chief reported that the Department has received several complaints dealing with this problem for many years. He indicated that the Department is doing the best that they can and suggested that there were 5, 6, 7 or 8 places in the community with chronic gunshot complaints.. The Chief added that the Department can’t exceed what the law allows it to do. Commissioner Faxon asked if there were any ordinances regulating this and Chief Kehoe noted that there were 5 to 10 a month. Commissioner Faxon asked if there was a need to alter ordinances and the Chief indicated that the Noise Ordinance was vetted through the State DEP. Chief Kehoe indicated that if there was a complaint they would go out with a meter to see if the noise exceeded the decibels. He added that they have ordinances on par

with other Towns. Chief Kehoe suggested that they could possibly restrict the times they can fire the guns but indicated to outlaw it could be a problem constitutionally. Chairman Mangiafico stated that the individual who complained about this problem suggested this problem was greater than the noise issue and more of a safety issue. The Chairman added that the individual said there were explosions set off as well. Commissioner Faxon asked the chief if there would be an arrest if someone was discharging a gun illegally or setting off fireworks and Chief Kehoe said yes. Chairman Mangiafico asked of the chief had a recommendation. The chief indicated that they would have to look at the ordinances. Commissioner Budd asked if there was a time on the ordinance and the Chief said none. Commissioner Faxon suggested that they could reasonably put time limits in the discharge of a gun. Commissioner believed there could be a local ordinance from sunrise to sunset. Chief Kehoe noted that there were time restrictions on noise made by the use of heavy machinery with restricted hours during the week and no use allowed on Sundays. Chief Kehoe concluded that any changes have to be vetted through the DEEP. **POCD** – The Chief stated that the POCD will be handled by the staff in the agencies. **LECC** – Chief Kehoe told commissioners that the Law Enforcement Challenge document was in their packets. He noted that it was a comprehensive report of all the ongoing issues in Town.

CAPTAIN’S REPORT: Independent Analysis Review 2012 - Captain Rios told Commissioners that they had a breakdown in their packets of the calls for service for January, February and March 2012. **Traffic Enforcement Unit (TEU) Report by Sgt Bahamonde March 2012** – The Captain indicated that the report covered the work they were performing including the traffic study on Queen Street and Glover, street signs, training, etc. **Monthly Detective Division Report by Lt. Robinson March 2011** – Captain Rios reported that the Detective Division was active and busy with ongoing investigations as well as the SRO’s in the schools.

UNFINISHED BUSINESS:

Further discussion and action on 12 Queen Street project - tabled

Discussion, Consideration and Action on Strategies for Queen Street Area Traffic Concerns

– Chief Kehoe informed Commissioners that after a review of southern Queen Street they have determined where the two temporary speed bumps will go – one just north of Lovell Lane and the other just south of the intersection of Earl Lane.

The Chief indicated that on the past other efforts have been somewhat successful in the reduction of speed and volume of traffic, but suggested that it could have been due to other factors.

Commissioner Sachs asked if the temporary speed tables would be in place by mid April and Chief Kehoe stated that was correct and suggested that they were even trying to do that as early as next week or the week after.

Chairman Mangiafico asked what they could see that would change their opinion regarding the temporary speed tables; and the Chief indicated that increased volume levels on the side roads would change it.

Chief Kehoe suggested that if this did happen they would have to try other traffic calming techniques such as “neck-downs”. The Chief reminded Police Commissioners that if they do put in permanent speed bumps it would be different because they would have more than two.

Chairman Mangiafico asked Chief Kehoe if he thought a two-month trial was long enough and the Chief said yes.

NEW BUSINESS:

Discussion and possible action on traffic safety concerns FHH (Town) roads – Chief Kehoe reported that he had received an email from the human resources administrator about complaints of unsafe conditions on the roadway up on the Fairfield Hills Campus. The Chief noted that the situation is easy to approach because the Town owns everything and there are no residents up there which makes it easier to change things and the study will be easier to attain.

Commissioner Faxon asked if there had been any injuries up there and the Captain said, no, he didn't think so.

Chairman Mangiafico suggested that the complaints were justified as he has seen the situation up there.

Chief Kehoe said the department has done enforcement up there and indicates that it is a small roadway – some 1500 to 3000 feet. He notes that people are often in a hurry; they are discourteous; and, they don't often stop at stop signs.

The Chief reassured the Board that the police department will come up with recommendations in the next couple of months.

Discussion and possible action regarding an ordinance to control the location of “Adult Business” in Newtown – Chief Kehoe explained that the First Selectman had asked the Board to jumpstart a discussion with regard to the location of adult businesses in Town. He assured the board that there were none in town yet but suggested that the landscape of Newtown might change. The Chief noted that adult businesses were not necessarily a police issue but a moral issue.

Chairman Mangiafico reported that the First Selectman wrote to the Chief and himself that some members of the Legislative Council were interested in developing an ordinance to regulate or control these types of establishments. The Chairman said he was not sure the Board of Police Commissioners should get involved in it and said he thought it should be a land use issue.

Commissioner Faxon agreed and noted that if an adult business wanted to construct a facility that impacted traffic then it would come before the Board.

Chairman Mangiafico suggested that he would frame a letter to the First Selectman and to the Legislative Council that it's not in the Board of Police Commissioners' purveys to initiate this – it is essentially a land use issue. The rest of the Board agreed

Discussion and action of Policies and Procedures - The Chief indicated that the State law regarding Missing Persons changed in January and the police department had updated their police and procedure regarding Missing Persons accordingly.

Commissioner Budd made a motion to approve the revised Missing Persons Policy and Procedure. Commissioner Viadero seconded and the motion was unanimously approved.

Added item – Chairman Mangiafico indicated he had received several communications from the State Traffic Commission regarding who would be the designated spokes person for the Board of Police Commissioners which is essentially the local traffic authority. The Chairman recommended Chief Kehoe as the Board's representative, and Police Commissioners unanimously agreed.

PUBLIC PARTICIPATION: Mr. Vayan recommended that they make the roads at Fairfield Hills one way streets. Chief Kehoe indicated they had discussed that possibility. Mr. Vayan also noted that in Delaware they used raised crosswalk tables. Commissioner Budd noted that there were a lot of things the Board was looking into. The Chief thanked Mr. Vayan for his suggestions.

COMMISSIONER'S PARTICIPATION: Commissioner Faxon expressed his appreciation to Sgt Kullgren and Officer Hull for their participation with the troop 270 Merritt Badge Program.

EXECUTIVE SESSION:

At 8:35 pm, Commissioner Faxon made the motion enter into executive session for the purpose of discussing strategy and negotiations with respect of collective bargaining, also to discuss potentially with the Chief and the police union issues related to collective bargaining. He asked that the Board meet for 5 minutes before inviting the Chief and President of the Police Union to join them. Commissioner Sachs seconded and the motion unanimously carried.

At this time, the clerk left the meeting.

Ted Swigart, Clerk