



TOWN OF NEWTOWN
BOARD OF POLICE COMMISSIONERS

MINUTES FROM THE BOARD OF POLICE COMMISSIONERS
REGULAR MEETING HELD TUESDAY, AUGUST 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 7:30pm.

PRESENT: Joel Faxon, Andrew Sachs, and Paul Mangiafico.

ABSENT: Brian Budd and James Viadero

ALSO PRESENT: Police Chief Michael Kehoe, Police Union President Scott Rusczyk, 1 member of the press, and 2 members of the public

PUBLIC PARTICIPATION:

Dan Shay, 44 Queen Street, informed commissioners he was present that evening to discuss speeding on Queen Street and the speed tables, as well as the traffic up at Fairfield Hills, and the similarities between them.

He suggested that both roads were straight shots to their targets allowing motorists to speed.. Mr. Shay stated that he spoke to Sgt Bahamonde about the data collected prior to the installation of the temporary speed tables and after. He noted that in the northbound lane before the temporary speed tables, vehicles went an average speed of 34.4 mph; and after the installation the average speed was 29.1 mph. Mr. Shay added that in the southbound lane before the temporary speed tables were installed, vehicles went an average speed of 34.1 mph and after the speed tables were installed the average speed was 28.6 mph.

Mr. Shay suggested that the data proves the speed tables are effective and therefore he was in favor of the speed tables and the expansion of the program.

Mr. Shay also referred to a week-long Traffic Initiative done by the Police Department on Queen Street recently. He reported that there were 369 vehicles stopped for exceeding the speed limit of those 166 received tickets, 155 received written warnings, 45 received verbal warnings and 3 received misdemeanor summons. Mr. Shay suggested that these results convey the seriousness of the situation on Queen Street.

He told the board that he spoke to neighbors who are afraid to let their kids play out in front of the house or walk on Queen Street.

Mr. Shay proposes that there be more speed tables on Queen Street.

Regarding the Fairfield Hills and the traffic situation, Mr. Shay informed Commissioners that he was up at Fairfield Hills on a daily basis running the street and he has seen the speeding. He suggests that the people going to the Youth Academy determined and they are moving fast. Mr. Shay added that he has frequently seen people run the stop sign on Primrose Lane just to get to

the academy. He suggests that putting the academy at the back of the property was a bad idea and that it should have been put towards the front.

Mr. Shay offered the following suggestions:

- Have the Youth Academy traffic enter and exit from Wasserman Way
- Mandate parking and walking
- Make more roads or one road more narrow to slow the traffic down

Mr. Shay stressed that something has to be done before someone gets killed. He added that the formula there is potentially tragic.

Commissioner Faxon reassured Mr. Shay that the Board had both topics on the agenda tonight and would take his comments into consideration.

Mr. Shay also suggested that there be a sidewalk on the west side of Queen Street because there are more houses on that side.

He concluded by thanking Sgt. Aaron Bahamonde for his assistance.

POLICE UNION PARTICIPATION:

Union President Scott Rusczyk reported that Chief Kehoe presented the Union with a 5-point Action Plan from Dr. McCabe's report that he will sit down and talk to them about.

Chairman Mangiafico noted that they need to reschedule Dr. McCabe.

CONSIDERATION AND ACTION OF THE MINUTES FOR: REGULAR MEETING JUNE 5, 2012 – Commissioner Faxon moved to accept the minutes of the regular meeting of June 5, 2012 as corrected. Commissioner Sachs seconded and the motion was unanimously approved.

Corrections suggested by Chairman Mangiafico:

- Page 2, paragraph 6, remove the first sentence
- Page 2, paragraph 6, second sentence change the word "last" to "list"
- Page 6, under Commission's Participation, 2nd paragraph change the work "on" to "in"

CHIEF'S REPORT: Personnel Report – Chief Kehoe reported that they had finished the Sergeants exam process in the last two months, but noted that they will let the scores stand as there are no openings at this time. He noted that the scores will stand for three years from the date of publication. **Budget – FY 2011- 2012** - The Chief told Commissioners that they had the FY 2011-2012 report in their packets. He noted that not all of the invoices have been paid but said he is sure they will close the books soon. Chairman Mangiafico noted that the department under spent its money last year by \$30,000 and the Chief said that is correct. FY 2012-2013 – Chief Kehoe noted that the department's budget for FY 2012-2013 was reduced by one patrol officer. Chairman Mangiafico stated that it is in his opinion that there have been comments on the news by a number of people in Town who believe the police agency is fatty and should be cut. He indicated that it seems to him the board has not done a good job explaining what the Department has, and what it does with what it has. He suggests that they keep this in mind the next time they do a budget preparation. The Chairman said he is afraid they will lose another officer the next time round. Chief Kehoe agreed suggesting that they need to express what they do for the community such as the services they provide that other communities do not. Chairman Mangiafico stated that he felt the Union would be interested in this and Union President Rusczyk stated that the Union's take is that a lot of the comments the chairman was referring to were from young kids who were caught speeding. He suggests that they town needs to be compared to similar towns economically like Trumbull. The Chief noted that a couple of years ago the Chairman had worked on similar comparisons. Commissioner Faxon asked if the budget deletion of 1 sworn officer meant that they wouldn't replace the position vacated recently by

Officer Dingee and they Chief said yes. Chairman Mangiafico suggested that after the fifth referendum it was the easiest way for the town to cut 75,000 from the department's budget. **Fleet Report** – Chief Kehoe told Commissioners that Sgt. Bahamonde indicated the two vehicles have arrived in the State of Connecticut and are being prepped. **Training Report** – The Chief told Police Commissioners that the training report was in their packets and that training was slow in the summer. **Letters of Gratitude** – Chief Kehoe informed Commissioners the department received multiple letters of gratitude over the past two months and stated that the letters for Officer Pirhala, the Department, Sgt. Kullgren, Lt. Robinson, Department for Relay for Life, Officer Figol and one for Officers Figol, Hayes and Baro were in their packets.

Correspondences – The Chief reported that he had a few correspondences. He noted that one was from the STC indicating that traffic engineers could reduce the speed limit on Route 25 from 45 mph to 40 mph because the area in question had changed dramatically over the years. Chief Kehoe noted that another correspondence was one sent to the Department of Public Works regarding work on Botsford Hill Road in the area of the railroad bridge. According to the Chief, the Public Works Director said they will do the best they can to make improvements in that area.

STC changes – MUTCD Standards Approved- Chief Kehoe told the board the MUTCD standards approved in 2009 states that all roads in Newtown with a single yellow line should be a double yellow line. According to the Chief, the Public Works Director suggests that this won't happen soon due to budget cuts. Commissioner Faxon noted that was a lot of expensive paint.

Statewide Emergency Drill – Chief Kehoe reported that he participated for two days in a Statewide Emergency Drill for a Category 3 Hurricane hitting Connecticut. He suggested that this came on the heels of the damage caused by the tropical storm that hit Connecticut the end of last summer. The Chief noted that the impact of a Category 3 Hurricane on Newtown would be devastating with a projected recovery of 2 to 4 months. **Additional Items** - The Chief informed Police Commissioners that Lt. Vanghele received the Community Partnership Reward and the Newtown Prevention Council will have a picture on billboards and in liquor stores to help prevention of underage drinking.

CAPTAIN'S REPORT: As Captain Rios was not present for the meeting, Chief Kehoe indicated he would give the report. **Independent Analysis Report for June, July 2012** – Chief Kehoe told commissioners that a copy of the report from June 1 through July 31, 2012 was in their packets. Chairman Mangiafico asked if the Board could have a report that shows the exact same data from each category throughout the year. The Chief said yes. Commissioner Faxon agreed but suggested that it should be 13 months to compare year over year. The Chief indicated that could be done. **Motor Vehicle Enforcement Reports: June 2012 verbal report** – Chief Kehoe reported that they held one DUI spot check and will hold one more. In addition to the DUI spot checks, the Chief indicated the department is always targeting something in the community to focus on. **DUI Enforcement Reports: June, July 2012, verbal report** – The Chief noted that the report was on their packets and that there are two DUI reports a year – one at the beginning of the year and one at the beginning of the fiscal year.

Detective Division Report July 2012 written report – Chief Kehoe indicated that the report was in the packets and if Commissioners had any questions he was sure the Captain would answer them.

UNFINISHED BUSINESS:

Further discussion of the Queen Street – neighborhood feedback – Chief Kehoe told the Board that originally the speed humps were in to back the data. He noted that they had diverting factors and an impact on the relative speeds on the roadway. Chief Kehoe told the board the

speeds had come down quite a bit and doesn't think the speed humps diverted traffic dramatically. He also noted that the change in volume wasn't significant.

The Chief suggested that while the Board discusses what the next steps are, should the temporary humps be pulled out or do left in? He indicated that the Public Works Director Fred Hurley needs to know because they would have to be pulled out before the snow.

Chief Kehoe stated that he and Mr. Hurley agree they need to have a traffic engineer design the speed humps and determine how many are needed. He added that they do have funds in the budget for a traffic engineer.

Chairman Mangiafico indicated that the data suggests that the speed tables are effective and that the unacceptable diversion of traffic onto Glover has not occurred.

Commissioner Faxon agreed and stated that people drive more slowly.

Commissioner Sachs asked if the increase to five speed bumps would divert traffic. He noted that the two temporary ones diverted him a couple of times and questioned what five would do.

Commissioner Faxon said that's why they are having it engineered. He asked how long it would be to do the study. Chief Kehoe responded that it was not a study per se as they would give the engineer the data they have already collected. In addition, he noted that the engineer would have to understand what speed the Board wants to target for that road. The Chief noted that typically speed bumps are designed for vehicles traveling 15 mph to 20 mph. He added that they don't want to make it so [slow] that they divert traffic.

Commissioner Faxon suggested that if the average speed was only 3.6 mph over the speed limit – they have achieved their goal.

Chairman Mangiafico asked how long process would take and the Chief indicated a month to two months once they get an engineer in.

Commissioner Faxon moved to have an engineer to give the Board an opinion on the appropriate placement of speed bumps on Queen Street as well as the appropriate number and size.

Commissioner Sachs seconded and the motion unanimously carried.

Discussion and possible action on traffic safety concerns FHH (Town) roads – Chief Kehoe said he had asked Mr. Hurley to attend the evenings meeting but Mr. Hurley was unable to.

The Chief noted that the Fairfield Hills Campus study was done. He noted that they were looking for some hard costs. Chief Kehoe suggested that they had similar issues there being a town roadway like Queen Street. However, he indicated that the difference is that there are really no residents living up there so the impact will be on the people visiting.

Chief Kehoe highlighted the following recommendations in the report:

- 1) Remove Utility Poles - The telephone poles lining the parking area – recognized as hazardous – will go away and the utilities will be underground.
- 2) Mid Block Crosswalk – Remove the jogs on each side of the municipal center where the stairs and sidewalk are and make a mid block crosswalk with speed table.
- 3) Crosswalks at intersection of Keating, DG Beers and Simpson Street – make crosswalks at the intersection of Keating, DG Beers, and Simpson where there is a lot of walking and paint with appropriate crosswalk markings.

For the next ten minutes, commissioners reviewed photos of the recommendations contained in the report in their packets.

Chairman Mangiafico commended Officer Silver on his report.

Commissioner Faxon moved to approve the installation of a raised crosswalk on Westside of the Municipal Building crossing Simpson Street and on the Eastside of the Municipal Building crossing DG Beers Boulevard at the peninsula where the fire plugs are located on both sides to cross the street entirely on the Westside over to where parking lot is and on the Westside to

where the walkway is that connects to the sidewalk. Commissioner Sachs seconded and the motion was unanimously approved.

After discussing the recommendation to paint the four crosswalks at the intersection of Keating Farms, DG Beers and Simpson Street, the Board decided to wait until they all had a chance to inspect the area themselves before making a decision.

Chairman Mangiafico stated Board would hold the vote on the crosswalks to the next meeting.

POCD discussion and possible action – According to Chief Kehoe, the last POCD was done in 2004 and the Town has been looking towards a new one for 2014. He told Commissioners that the Town wants the Board's thoughts in there as a planning document and to make general recommendations as far as traffic is concerned. The Chief stated that he gives credit to Sgt. Bahamonde for looking at it.

Chairman Mangiafico said he was familiar with the top three priorities:

- 1) Route 34 Exit 11
- 2) South Main Street turning lanes
- 3) Moving the intersection of Edmond Road on Church Hill Road to directly across from the intersection of Commerce Road.

Chief Kehoe stated that he thought the officers did a great job addressing all the issues.

Commissioner Faxon moved to submit memorandum prepared by Lt. Sinko as the top three priorities for the transportation portion the POCD plan.

Commissioner Sachs suggested putting a traffic circle around the flag pole and a brief discussion ensued.

Commissioner Sachs seconded and the motion unanimously carried.

NEW BUSINESS:

Discussion and action on speed limit changes at or near 40 Dodgingtown Road – Chief Kehoe said he request that Officer Jeff Silver look at the intersection following a complaint. The two schools are looking for a reduction in the speed.

The recommendation to use MUTCD signals to establish a school zone two hours a day – 7:30 am to 8:30 am and 2:30 pm to 3:30 pm.

After a brief discussion concerning other Towns using similar signs indicating hour specific school zones a motion was made.

Commissioner Faxon moved that this police commission submit to the state that it review and evaluate the report by Officer Silver for a reduced speed limit in and around the area of Housatonic Valley Waldorf School consistent with the report and recommendation.

Commissioner Sachs seconded and the motion was unanimously approved.

Discussion on Chief's Evaluation – According to the Chief, every year at this time Human Resources tells the Town Departments its evaluation time. Most of them get done by the town this one gets done by the Board.

Rather than redo the evaluation done by former Chairman Duane Giannini, Chairman Mangiafico asked the Chief Kehoe for blank copies of the evaluation form in that format. He asked the Chief to do his self evaluation and they would do theirs using the blank forms.

Chairman Mangiafico noted that he would also like to ask the Director of Human Resources Carole Ross when this should be done by.

Discussion and action Department Policies –

Paperless Re-Arrest Warrants Network (PRAWN) Policy 4.40

According to the Chief, the purpose of the changes is to bring the policy up to date.

Commissioner Faxon moved to accept as the current policy and procedure the updated PRAWN amendments 4.40 the Chief has proposed. Commissioner Sachs seconded and after a brief discussion the motion unanimously carried.

MDT and Repairs Policy 2.07

Chief Kehoe indicated this was just to update the policy.

Commissioner Faxon move to approve MDT and Repairs Policy 2.07. Commissioner Sachs seconded and the motion was unanimously approved.

Drug Endangered Child (DEC) Policy 5. 20

According to Chief Kehoe, the idea is that children who are exposed to drugs will most likely do drugs. He also noted that parents who do drugs will also neglect children. The Chief stated that this policy gets the earliest intervention possible.

Commissioner Faxon moved to approve policy and procedure DEC 5.20. Commissioner Sachs seconded and the motion unanimously carried.

Inspections Policy

According to the Chief, this update brings the department up to compliance with accreditation standards.

Commissioner Sachs asked the Chief if the Union had looked at this yet he said no. Commissioner Sachs recommended allowing the Union to look at the updated inspection policy and approve it the next session.

The approval of the updated inspection policy was tabled.

Juvenile Review Board Policy

Chief Kehoe informed the Board that although this is a new policy, the Juvenile Review Board has been in place since 1986.

The Chief explained that the Board is independent of the court system. He noted that the Youth Officer along with the Supervisor will review each juvenile arrest with possible diversion in lieu of prosecution. He added that to divert certain criteria must be met

According to the Chief, when he was the Youth Officer 3 to 7 kids a year would go through this, but recently there have been none.

Commissioner Faxon said this was a great idea and urged the Department to use it.

Commissioner Faxon moved to accept the Juvenile Review Board Policy. Commissioner Sachs seconded and the motion was unanimously approved.

Fiscal Management Policy and Procedure 1.20

Chief Kehoe indicated the policy was last revised in 2004 and since that time they have changed the designations in the Department from an organizational perspective. The chief noted the changes were to meet accreditation standards and financial regulations.

Commissioner Faxon asked if the Union had agreed on the PBA portion of the policy. The Chief and the Union President said yes.

Commissioner Faxon moved to accept the Policy and Procedure for Fiscal Management 1.20 as presented by the Chief. Commissioner Sachs seconded and the motion unanimously carried.

PUBLIC PARTICIPATION:

Mr. Shay suggested that the tubes were very close to the speed tables and not centered. For this reason, he believed the numbers were not 100% accurate and suggested that drivers are still accelerating and don't get to their peak until the halfway point by the daycare.

Chairman Mangiafico reaffirmed the need to be careful with averages.

Commissioner Sachs stressed that they need the engineer's opinion.

Mr. Shay also brought up the issue of cars crossing the white line southbound on Route 25 to pass cars turning left onto Church Hill Road. He asked the Chief if this was legal and the Chief indicated it should not be done.

COMMISSIONER'S PARTICIPATION:

Commissioner Sachs asked about the folks who came to visit the Board regarding the drug issue in sandy hook and asked if they were making progress; and the Chief said yes.

He also said it sounded like the Chief was heading in the right direction with the Union and he appreciated that,

Commissioner Faxon stated that he hopes the Firearm Discharge Ordinance gets moved forward.

Chairman Mangiafico reported that he and the Chief attended the meeting of the Ordinance Subcommittee Chaired by Mary Ann Jacob last Wednesday. He explained that 60 people showed up and a lot spoke on strong opposition to the recommendation. The Chairman noted that most who complained were very respectful but brought out the heavy guns on 2nd Amendment. He added that the session last a good couple of hours.

According to the Chief, George Benson gave a copy of Brookfield's ordinance which is similarly written to Wilton's ordinance and added that Newtown is not alone in dealing with these issues.

Chairman Mangiafico indicated that toward the end of the session he told the committee his concerns:

- 1) They didn't recognize there should be an appeal process
- 2) Many who spoke in opposition indicated there was nowhere to shoot he suggested they go to a range. The Chairman also suggested that Newtown open a gun range and make it free for residents to use, but that anyone outside the town should pay.

ADJOURN THE MEETING: Commissioner Faxon moved to adjourn the meeting at 10:36 pm. Commissioners Sachs seconded and the motion unanimously carried.

Ted Swigart, Clerk