



**TOWN OF NEWTOWN**  
**BOARD OF POLICE COMMISSIONERS**

**MINUTES FROM THE BOARD OF POLICE COMMISSIONERS**  
**REGULAR MEETING HELD TUESDAY, SEPTEMBER 4, 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:** Brian Budd, James Viadero, Joel Faxon, Andrew Sachs, and Paul Mangiafico.

**ABSENT:**

**ALSO PRESENT:** Police Chief Michael Kehoe, Police Union President Scott Rusczyk, Frederick P. Clark Associates Executive Vice-President and engineer Michael Galante, 1 member of the press, and 7 members of the public

**PUBLIC PARTICIPATION:** none

**POLICE UNION PARTICIPATION:** none

**CONSIDERATION AND ACTION OF THE MINUTES FOR: REGULAR MEETING AUGUST 7, 2012** – Commissioner Faxon moved to accept the minutes of the regular meeting of August 7, 2012 as corrected. Commissioner Sachs seconded and the motion was unanimously approved.

Correction suggested by Chairman Mangiafico: Page 2, 4th line from the bottom, “they” should be “the”

As Michael Galante, engineer, was scheduled to make two presentations on the evenings agenda, Commissioners opted to move both his presentations up to better accommodate him.

Commissioner Sachs made the motion to move items 7a Unfinished Business and 8a New Business up on the evenings agenda. Commissioner Faxon seconded and the motion unanimously carried.

**UNFINISHED BUSINESS**

**Discussion and action on Newtown Volunteer Ambulance Corps New Building Fairfield Hills Campus** – Mr. Galante presented various plans and charts to the Board primarily regarding the access and egress at the Newtown Volunteer Ambulance Corps New Building to be located on the Fairfield Hills Campus.

He informed Commissioners that he was there before them to get their authorization on a proposed access driveway for emergency vehicles only that would connect to Wasserman Way.

He noted that all other vehicles would have access to the proposed building via the traffic light at the intersection of Wasserman Way and Trades Lane.

According to Mr. Galante, he did a traffic safety study of the roads surrounding the facility looking at speed of vehicles, accidents, traffic volume, and sight line distances, based on the standards set by the Office of the State Traffic Administration (OSTA) formerly the State Traffic Commission (STC).

Mr. Galante informed the board that the volume on Wasserman Way is 12,000 vehicles a day on the 30 mph road. He added that the average westbound speed on Wasserman Way was 44 mph, vehicles traveling from exit 11 Rte. 84 towards Rte. 25; and the average eastbound speed was 41 mph, vehicles traveling from Rte. 25 to Rte. 84.

Mr. Galante noted that the visibility exiting from the location of the proposed driveway was very good. He indicated that the sightline on Wasserman Road is 1000 feet looking towards the traffic light at the intersection of Trades Lane and 500 feet looking in the direction of Mile Hill Road.

Mr. Galante added that these sightlines exceed the state's requirement of a minimum required sightline of 189 feet for based on vehicles traveling at 44 mph.

Commissioner Faxon asked if there had been analysis to use Trades lane to leave the facility and Mr. Galante informed Police Commissioners that they were directed from the beginning by the First Selectman not to put ambulance traffic through Trades Lane.

Chairman Mangiafico asked if the only vehicles using the driveway will be emergency vehicles and Mr. Galante said yes. The Chairman asked if the sightline was sufficient in both directions and Mr. Galante said yes. Chairman Mangiafico asked how many exits a day would be made from the proposed driveway and Mr. Galante said approximately 7 over a 24 hour period.

Chief Kehoe noted that the staffing levels are would already be there at the facility.

Commissioner Budd indicated he was not in favor of the plan to put the proposed driveway off Wasserman Way instead of exiting at the traffic light. From a public safety perspective, he asked Dr. McCabe why he wouldn't use a controlled traffic signal and said he totally disagreed with that curb cut for the proposed driveway off Wasserman Way.

One of the Ambulance Volunteers present at the meeting indicated that the reason they didn't use Trades Lane for the ambulance was because of the increased risk caused by a kid on a bicycle or the increased volume of vehicular and pedestrian traffic on the road when there were events.

Chairman Mangiafico asked the volunteers in attendance if they were led to believe it would pose a danger to the public coming out onto Trades Lane and they said \yes.

Commissioner Faxon recommended that this must be part of the analysis and added that he wants an informed explanation.

Mr. Galante reiterated what Commissioner Faxon stated suggesting a comparison between driving through Fairfield Hills vs. exiting out onto Wasserman. The engineer agreed that using a signal was safer and noted that they could make a request to have a flashing light where the proposed driveway exits onto Wasserman Way but it would end up costing the Town money.

Chief Kehoe noted that they could have an actuator that shuts down Trades Lane in the event of an emergency call.

Another member of the ambulance core stated that they had looked at other spots on Fairfield Hills but they did not want to be driving emergency vehicles through Fairfield Hills. He added that the other way was coming out onto Mile Hill where there are houses and a bad sightline. The core member suggested that exiting onto Wasserman Way was the best spot

Chairman Mangiafico said he shares his colleagues concerns about traffic but suggested that control of a signal would eliminate some of those fears. That being said, he added that he feels the proposed driveway is ok

Commissioner Faxon asked Mr. Galante what it would take to do an analysis and comeback to the Board next month. Mr. Galante indicated that the State process will not occur in three weeks so it should be fine.

Commissioner Sachs stated that he doesn't see another upturn and added that he doesn't see ambulances going through the campus.

Mr. Galante suggested that the lights and sirens of ambulance will slow traffic down.

Commissioner Viadero noted that he wants more information.

Chairman Mangiafico noted that three Board members want all the options with the pros and cons and two of the m in favor of the proposal. He suggested that Mr. Galante produce information for going out through the campus and that he submits something to the Board with the pros and cons of both.

## **NEW BUSINESS**

**Discussion and action on Site Development Plan and Special Exception Approvals for 30-32 Church Hill Road** - Mr. Galante presented plans for the development of the former Lexington Gardens on Church Hill Road. The proposal called for the building of a 60,500 square foot building split evenly by retail and office space, the reconfiguration of the intersection of the main access road to be located across from The Boulevard with the installation of a traffic light, dedicated left turn lanes on Church Hill Road for The Boulevard and the development, the opening an internal "access of convenience" with the Carluzzi's Plaza parking lot.

Mr. Galante noted that unlike his previous proposal that evening he did a full traffic study for this one.

According to the engineer, there were 1500 vehicles traveling through the intersection in each direction during the peak hour between 4:45 pm and 5:45 pm. He noted that there were a total of 19,000 vehicles traveling the road on a daily basis.

Based on those numbers, Mr. Galante told the Board they met the standard for a traffic signal of over 750 vehicles nine a two hour period.

Commissioner Faxon suggested that the traffic back up to the Hawley School and St. Rose be addressed. Mr. Galante noted that he had seen it.

Commissioner Sachs asked if there was a further need for sidewalks up there. Chief Kehoe suggested that it will be mandated by the Borough. Mr. Galante said they were doing that.

Mr. Galante noted that he goes before the Town on Thursday, the Borough September 19, and needs the Board of Police Commissioners to tell them you agree with the plans.

Commissioner Sachs asked if there was a speed issue and Chief Kehoe indicated that there was not a lot of speeding because it's too congested.

Commissioner Budd told Mr. Galante it was a good report.

Commissioner Faxon moved to accept the 30-32 Church Hill Road proposal for traffic purposes. Commissioner Viadero seconded and the motion was unanimously approved.

Commissioner Sachs was excused from the meeting at 8:40 pm.

## **CHIEF'S REPORT:**

**Fleet Report** – Chief Kehoe reported that the two vehicles came in and they would be outfitted in the next two weeks. He added that this will give them an idea of costs with the transition to the new Chevy vehicles. **Training Report** – The Chief told the Board August was a busy month and the report was in their packets. Chief Kehoe noted that there were no **Letters of Gratitude** and **Correspondences**.

Chief Kehoe told the Board that he had received an email concerning the bad traffic on Route 34 at the High School.

Commissioner Faxon agreed noting that the traffic was backed up down to Sandy Hook center. Chief Kehoe told the Board the delay was caused by several factors: a number of people taking their kids to school because of fear of the new transportation, a lot of blocking the "box"

(intersection), and a lot of people just driving their kids to school. The Chief noted they even had an officer in the intersection.

Chairman Mangiafico said he never remembers that problem.

As for none determining factors of the delay, Chief Kehoe indicated that there are less bus runs because the company merged the routes together and there is a restriction that only seniors can park in the lot at the beginning of the year.

Commissioner Faxon noted that he had gotten stuck in the traffic taking his daughter to school and said he wanted it on the record it was the first and only time he was taking his daughter to school.

#### **CAPTAIN'S REPORT:**

**Calls to Service Reports** – Captain Rios told Commissioners that the reports were in their packets. **Monthly Traffic Enforcement Unit Report – Verbal Report - August 2012** – The Captain tabled until next month as the supervisor was on vacation. **Monthly Detective Division Report – Written Report by Lt. Robinson - August 2012** – Captain Rios stated that the report was in the packets. **Underage Drinking Enforcement- Verbal Report** – The Captain reported that they underage drinking SUDS Program is currently going on. **DUI Checkpoint- September 7, 2012** – Captain Rios informed Commissioners that the check point would be a combined effort between the Newtown Department of Police Services and the Connecticut State Police starting this Friday.

Chairman Mangiafico asked him why with the State Police and the Captain said that had several benefits including building camaraderie and getting to know who you are working with.

The Chairman asked who initiated the joint effort and the Captain said it started with State and Federal grants monies. Captain Rios said he credits Chief Kehoe with talking to the State Police Commander.

Chief Kehoe noted that the State Police were bringing their BAT Mobile which is a mobile blood alcohol test unit that allows them to do all the processing right at the scene. The Chief added that they will have 16 to 18 officers at the scene.

#### **UNFINISHED BUSINESS:**

**Further discussion of the Queen Street traffic safety** – Chief Kehoe reported that he was working with Public Works Director Fred Hurley on compiling a list of engineers and then deciding which one will develop the speed tables.

Chairman Mangiafico asked when the Board would have the information before them regarding the placement, design and number of the speed tables.

The Chief noted that they would have to ask the engineers that..

Commissioner Faxon stressed that he wants to get the permanent speed tables in the ground before the snow flies.

Chairman Mangiafico added that it was not going as fast as he thought it would happen in a couple of months.

According to Chief Kehoe, December 1 is the drop dead date to put the permanent speed tables in before the asphalt plants close for the winter.

The Chairman urged the Chief to see if they could speed the process up.

Commissioner Faxon stated that the Board had made a considerable effort to get speed under control and noted that he would be unhappy if they had to take up the temporary speed tables and have the asphalt plants close.

Chairman Mangiafico stressed that they can't afford to wait and suggests they use a known engineer.

Chief Kehoe explained that it would take an engineer 2 to 3 weeks to design the speed tables and tell them which locations to place them in. The Chief added that he doesn't know if they can circumvent the RFQ and just go to somebody.

Commissioner Viadero stated that he was concerned this will be another Key Rock Road going month after month.

Commissioner Faxon indicated that if the project can't be completed by December 1 then we install an asphalt speed bump.

Commissioner Budd suggested that the design needs to be finalized by the next meeting.

Chief Kehoe told Commissioners that he would check with the Director of Public Works tomorrow.

Chairman Mangiafico concluded by stating that under no circumstances do they want by December 1 to have nothing down.

**Discussion and possible action on traffic safety concerns FHH (Town) roads** – Chairman Mangiafico suggested that he had concerns about the recommendations submitted to them. The Chairman indicated that the proposed crosswalk crossing at Keating Farms goes to nothing and the layout really doesn't show where the sidewalks are going.

To explain what the staff did, the Chief Kehoe reminded the Board of the issues they addressed:

- 1) The initial complaint from the Municipal Center prompted the recommendation of raised crosswalks to go across the street.
- 2) People walking and crossing at the intersections
- 3) Planning for the future

Chairman Mangiafico stated that he doesn't know why they need crosswalks where there are no sidewalks and the Chief added that they won't.

The Chairman indicated that he has no problem with the proposal and recommendation with parking areas on either side of the Municipal Center. He stated that he thought Officer Silver did a great job on this but recommended that he add a North designation to his plans.

Commissioner Faxon made the motion suggesting the installation of raised crosswalks to access parking areas adjacent to the Municipal Center on both sides. Commissioner Budd seconded and motion unanimously carried.

#### **NEW BUSINESS (continued):**

**Discussion and action Department Policies - Inspections Policy** – According to Chief Kehoe, the Union said they were ok with the policy.

Commissioner Faxon moved to accept the Policy and Procedure with respect to Inspections. Commissioner Budd seconded and the motion was unanimously approved.

#### **PUBLIC PARTICIPATION:**

Dan Shay, 44 Queen Street, told the board he had an update on Queen Street. He informed the Board that there has been an increase in adolescent pedestrian traffic concurrent with buses and caravans. Mr. Shay suggested that this was a dangerous situation with kids horsing around and busses using Queen Street as a short cut. He also suggested that there is a situation on Wasserman Way where there is a chain link fence with a half dozen cement mailbox posts at the bottom of a hill with children playing on the playground on the other side of it. Mr. Shay suggested that this is a potentially dangerous situation and that the posts and fence will not stop a truck. He noted that he saw Officer Silver up there putting up the speed monitor, but suggests people have no regard. Mr. Shay told the Board that people don't stop at the stop signs, don't signal, and they are using cell phones. He stressed that they can't let bureaucracy interfere with human kind. Mr. Shay stressed that the delay with the speed tables should not ever happen. Additionally he suggested that they need the traffic off Church Hill Road and Queen Street. Mr.

Shay told Police Commissioners that he appreciates everything the Commission does and thinks Newtown is being devoured by vehicular traffic. He concluded by urging the Board to get the speed tables in.

**COMMISSIONER’S PARTICIPATION:**

Commissioner Faxon informed the Board that he was involved on auto accident recently and that he wanted to thank the two members of the department who responded noting that they were very courteous and professional.

Chairman Mangiafico told the Board he was getting increasingly concerned about the speeding in the Town and said that it is unacceptable noting that it is not 2 or 3 mph over but 15 mph. The Chairman noted that people are blowing through stop signs and cars turning right on “No Right On Red” signs. He stated that he is thinking the Police Department is not enforcing the law sufficiently. Chairman Mangiafico told fellow board members that he expects to see more enforcement from the Police Department. He noted that people think they are above the law. The Chairman suggested here must be a better way to get the message out that Newtown is nit the Town you want to speed in.

Commissioner Budd suggested that if the Chief and the Captain could get three officers a week full-time that would not be enough.

Commissioner Faxon noted that 1026 traffic stops is a large number.

Chairman Mangiafico asked the Chief and the Captain if they need more officers and once again stressed that they have a speeding problem that is unacceptable.

Captain Rios told the Chairman that they share his frustration and stated that there are plenty of areas to address and man power is one of them.

Chairman Mangiafico suggested that they have to find some way of bringing attention to this to the people in Town.

Chief Kehoe reminded the Board that they have chatted about this. The Chief stated they have the 7<sup>th</sup> most miles in the State to cover and noted that they don’t have the resources.

Commissioner Viadero said he believes the department is having an impact.

The Chief indicated that a lot of effort has gone into this over the last 10 years. He added that it was a daily mission and the officers know what their mission is.

**DISCUSSION ON CHIEF’S EVALUATION – Commissioner Faxon moved to go into executive session for the discussion of an employment issue at 9:36 pm. Commissioner Budd seconded and the motion unanimously carried.**

The clerk left the meeting at this time.

Ted Swigart, Clerk