



TOWN OF NEWTOWN
BOARD OF POLICE COMMISSIONERS

MINUTES FROM THE BOARD OF POLICE COMMISSIONERS
REGULAR MEETING HELD TUESDAY, JANUARY 7, 2014
TOWN HALL SOUTH CONFERENCE ROOM
3 MAIN STREET, NEWTOWN

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

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

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

ABSENT: Andy Sachs

ALSO PARTICIPATION: Police Chief Michael Kehoe, Captain Jose Rios, Union President Scott Ruszczyk, 1 member of the press, and 10 members of the public.

PUBLIC PARTICIPATION:

Amy Pare, 2 Shadow Ridge Circle, HR manager at Hubbell Inc. and Newtown resident for 13 years, stated that the company put in a request for a light on Route 25 at the intersection of Prospect Drive and Peck's Lane but didn't get it. She addressed that since 2009 that of the 51 accidents in the area between Mile Hill and Button Shop Road, 32 occurred in the area of Peck's Lane and Highland Plaza. She said since she has been there they had an employee injured at that intersection in August. Ms. Pare stated that it was her belief a light would greatly improve the situation. Commissioner Budd asked her how many employees worked at Hubbell, Inc. Ms. Pare stated there were 118 hourly employees, 12 salaried personnel, and 15 temps; and the company operated on a 24 hour schedule.

Walt Motyka, 5 Kent Road, Past Chairman of the Economic Development Commission (EDC), stated that he was in support of a light at the Highland Plaza intersection on Route 25. He added that he knew of one business owner who would move in there if there was a light.

Cori Mc Nerney, 22 Great Ring Road, owner of Devine Dogs and resident of Sandy Hook for 35 years, said she was in full support of a light at the Highland Plaza intersection and told the Board that she has customers who constantly say it's a nightmare coming in and out of the plaza.

Steve Ford, Mount Pleasant Terrace, owner of Butcher's Best Market in Highland Plaza, indicated that he was in favor of a light at the intersection and added that he had heard the same story over and over from his clients as well. He said that his concern wasn't about the business it was about the safety of the people. Mr. Ford stated that he has run to the scene of an accident twice in the past year.

Zion Swecrock, owner of Snap Fitness on South Main Street, said he has owned the business for the last two years and also witnessed two accidents in the past year. He stated he was in favor of a traffic light at the plaza intersection also.

POLICE UNION PARTICIPATION: Union President Ruszczyk indicated that had nothing to report.

CONSIDERATION AND ACTION ON THE MINUTES FOR: Regular Meeting December 3, 2013 and the Special Meeting December 17, 2013: Commissioner Faxon moved to accept the minutes from the regular meeting December 3, 2013 and the minutes from the special meeting December 17, 2013 as presented. Commissioner Budd seconded and the motion was unanimously approved.

EXECUTIVE SESSION

Commissioner Viadero moved to go into executive session at 7:45 pm to discuss matters of collective bargaining and invited James Visconti and Union President Scott Ruszczyk to attend. Commissioner Budd seconded and the motion unanimously carried.

At this time the clerk left the meeting.

The Board exited Executive Session at 805 pm and the clerk returned.

UNFINISHED BUSINESS:

Disciplinary Hearing Discontinuation -

Commissioner Faxon moved to add to the agenda, and take up as business, the request by for retirement Sgt Froehlich and the request for retirement by Sgt Cole. Commissioner Viadero seconded and the motion was unanimously approved.

Chairman Mangiafico reported that the disciplinary hearing of Sgt. Darlene Froehlich was off their docket that evening as she had submitted her request for retirement effective January 6, 2014. He added that her letter was accepted by the Town and the Board.

In addition, the Chairman indicated that Sgt John Cole submitted his request for retirement effective February 1. His request was also accepted.

Request for Traffic Control Signal, Highland Plaza, 125 South Main Street –

Tony Gioffre, an Attorney with Cuddy & Feder, White Plains, NY, representing the owner of Highland Plaza, Highland HC, LLC, alluded to their discussion with the Board in November where they provided their justification for a the traffic signal for 4 and 8 Hour Warrants. He added that they recently addressed the additional information the Board had requested with respect to the accident data and thanked the Police Department for working with them to obtain the data.

Mr. Gioffre reported that since the Plaza's certificate of occupancy in 2009 there were 45 accidents which he added worked out to almost one a month.

He submitted a copy of a letter from the EDC as well as a copy of the signed petition and several letters.

Furthermore, Mr. Gioffre told the Board that they had received 16 letters since their last meeting, 15 from residents in the area of Highland Plaza and one from a resident involved in an accident in that area.

Chris Granatini, P.E., a Project Manager for Tighe & Bond, stated that the paramount concern was safety which was their reason for pursuing the signal. He added that their justification for the signal is based on the 4 Hour and 8 Hour Warrants,

Commissioner Budd thanked them for getting the information the Board requested. However, he questioned how closely they had looked at the 45 accident reports as he only found one that

occurred at the intersection of Highland Plaza and the rest occurred at the intersection of Peck's Lane.

Commissioner Budd recommended that they gear their effort for a traffic signal more towards the intersection of Prospect and Peck's Lane; and said he doesn't see the justification based on the data there.

He added that he does understand the concern of the occupants there.

Mr. Gioffre responded stating that the justification for the traffic signal wasn't based on accident data. It was based on the 4 Hour and 8 Hour Warrants.

Commissioner Budd suggested that based on the traffic he thinks every business on Route 25 would ask for a traffic light.

Mr. Granatini said that they were making their justification based on guidelines. He stated that that if they met one of the nine Warrants they could have grounds for installing a traffic signal. He added that they were coming before the Board seeking their support for a traffic signal at the Highland Plaza intersection.

Commissioner Budd indicated that he understood their concern 100 percent but added that they have had a lot of emails from people who did not want it. He added that they had to balance what the long term goals were for the greater good.

Commissioner Faxon indicated that he had a major issue with the Peck's Lane intersection. He asked what the impact would be on the intersection of Peck's Lane if a light was installed at the Plaza. Mr. Granatini indicated that it wouldn't have a negative impact because it would cause a break in the platoon of traffic travelling through the intersection at Peck's Lane.

Commissioner Faxon suggested that if the Board gives the go-ahead the state might not approve the light at Highland Plaza but the action might bring the issue concerning the Peck's Lane intersection forward. He recommended that the Board approve the application and put it in the State's court to approve it.

Chairman Mangiafico stated he was in favor of granting the proposal and that he had a strong feeling about their request. He complimented them on their presentation and said he shares Commissioner Budd's concern about the intersection of Peck's and Prospect Lane. The Chairman noted that Mr. Gioffre and Mr. Granatini have shown justification for a traffic signal at the Highland Plaza intersection and agrees it will bring the focus on the other intersection forward.

Commissioner Viadero stated that he was in favor of the light. He reminded the Board that the light would only change when vehicles are entering or exiting Highland Plaza otherwise it will be green.

Commissioner Faxon moved to accept and approve the application for a traffic signal at Highland Plaza. Commissioner Viadero seconded and the motion passed 3-1. Commissioner Budd opposed.

NEW BUSINESS

Presentation and Discussion of NPD Building Fund –

For nearly an hour Scott Cicciari made his presentation and discussed the Newtown Building Fund with the Board and those in attendance at the evenings meeting.

Mr. Cicciari indicated that while attending the Citizen's Academy he became aware of the rundown facility and decided to become involved.

He added that he then looked at the space needs assessment done in 1998 which indicated that the building was 328% undersized. Mr. Cicciari stressed that was 25 years ago.

Mr. Cicciari compared Newtown Police Department to the Wethersfield Police Department as their police force was similar in size. He indicated that the Wethersfield PD was an adequate 25,000 square feet whereas the Newtown PD undersized at only 8,540 square feet.

Mr. Cicciari stated that he wasn't doing this for himself he was doing it for his Town. He added that people ask him, "Why not wait for the Town" and he states that some money is usually allocated in a five year plan but is somehow always cut.

Mr. Cicciari informed the Board that he put together a website last year and there has been an awareness campaign provided by The Bee, Patch and Voices as well as two TV spots – an 11 pm spot on CBS and an 11 pm spot on NBC.

He indicated that Redding Police Chief Doug Fuchs, a former member of the Newtown Police Department, is the group's spokesman.

Mr. Cicciari indicated that the group was now moving into Phase II which was stepping up its fundraising and looking for support from foundations, corporations and even possibly going to the Governor to leave no stone unturned.

He added that they were evening going to ABC with the idea to do an Extreme Makeover.

Mr. Cicciari told the Board that the goal was to raise \$18 million and suggested that they wanted to partner with the Town.

Chairman Mangiafico said that he has had numerous discussions with Mr. Cicciari about this. He stated that a 5-year CIP is a good approach but very often \$5000 has been put in the plan only to be cut because something "more important" comes up.

The Chairman suggested that individual contributions are important and corporate contributions are even better so why not make a presentation to the local Chamber of Commerce. He added that the Building Fund has nothing to lose and a lot to gain.

Chairman Mangiafico noted that the needs of the police department are obvious but the average citizen doesn't know this place.

Mr. Cicciari stressed that the focus was to serve the men and women at the department.

Mr. Motyka suggested using the land at Fairfield Hills, noting that if they have land available people have something tangible to work with.

He suggested they ask for a piece of land for the PD.

Commissioner Faxon said he thought the concept was a great one. He suggested that since the Town has the non-taxable land at Fairfield Hills and it is more acceptable to the electorate because the money for the facility isn't from their pockets, it's from a source.

Chief Fuchs reminded the Board that all the public officials know the current building is unacceptable, from the poor conditions to the lack of space, He said they need to get the message out that this can't be five years out. It's archaic.

Mr. Motyka suggested that the group needs a Milestone Plan – a road map it can follow.

Commissioner Faxon asked what the group's progress was so far and Mr. Cicciari said the fund is in its infancy stages.

Commissioner Faxon stated that he agreed with Mr. Motyka that they need a plan in place.

Commissioner Budd agreed that Fairfield Hills would be a good location as the schools were all within a 2 to 3 minute response time from there.

The Chairman and Commissioners thanked Mr. Cicciari and Chief Fuchs for their time.

Discussion on FY 14-15 Budget -

Chief Kehoe indicated that the initial FY 14-15 budget was an increase of .3% but that did not include the salary increases, He noted that they were currently in collective bargaining for the civilian staff and Police Union will be starting theirs in January or February.

The Chief noted that the budget will and can't help go up every year due to salaries.

The Board discussed exactly who the armed SSO's would fall under the Board of Education or the Police Department as far as budget and governing authority, and agreed that although it would be determined in regards to the budget, the governing authority should be the Department based on the paramilitary nature of the SSOs.

Commissioner Budd indicated that a Sergeant would need to be in place Monday through Friday to oversee the SSOs but suggested that the budget would not allow that.

Chairman Mangiafico agreed with Commissioner Budd and added that if a SSO calls in sick someone has to call in a replacement.

Commissioner Viadero added that whoever oversees the SSO will be held accountable if they are not trained properly.

Commissioner Faxon suggested there also could be conflict if there is interaction between the police and the SSOs and one is overseen by the Police Department and the other by the Board of Education.

He added that if the unarmed security at Fairfield Hills falls under the Police Department than the armed SSOs should fall under the Department as well.

The Board also discussed the fact that since two of the Sergeants were retiring two positions would need to be filled.

In addition, Police Commissioners expressed concern over the lagging salaries of the Captain and the Chief particularly the Captain as his yearly salary was close to being overtaken by the average salary of the lieutenants.

The Board agreed that a 3.5% increase for the Captain and the Chief be added into the budget to keep them on par with the salary increases of the other personnel.

Commissioner Faxon moved to submit the preliminary proposal for the Department's FY Budget 2014/2015 in the amount of \$5,994,535 as to be set forth on a spread sheet. Commissioner Budd seconded and the motion was unanimously approved.

PUBLIC PARTICIPATION – none

COMMISSIONERS PARTICIPATION:

Commissioner Budd and the Board discussed the two Sergeant positions that were becoming vacant; and when and how to move forward to fill them.

Chief Kehoe indicated they must do the interviews again first.

Chief Kehoe informed the Board that there was a proposal made by the First Selectman to take all communications in Town and transfer them over to a third party vendor to save money. He noted they first looked at regionalization several years ago but nothing came of it.

ADJOURNMENT:

Commissioner Faxon made the motion to adjourn at 10:35 pm, Commissioner Budd seconded and the motion carried unanimously.

Ted Swigart, Clerk