



TOWN OF NEWTOWN
BOARD OF POLICE COMMISSIONERS

MINUTES FROM THE BOARD OF POLICE COMMISSIONERS
REGULAR MEETING HELD TUESDAY, March 4, 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, Andrew Sachs, Joel Faxon, and Paul Mangiafico

ABSENT: James Viadero

ALSO PRESENT: Chief Michael Kehoe, Captain Jose Rios, Union President Scott Ruszczyk, 8 4th grade Webelo Scouts from Pack 70 and their leader Jim Walsh, 1 member of the press, and 7 members of the public.

Chairman Mangiafico welcomed the Webelo Scouts from Pack 70 as special guests.

Commissioner Faxon explained that the Scouts were present that evening as the final part of their citizenship achievement where they had to view a proceeding of a Board or Commission in Town. The Commissioner indicated that he had already spoken the Scouts prior to the evenings meeting about what the Board of Police Commissioners role is.

Chairman Mangiafico asked the Scouts if they were aware they were in the Police Headquarters and the Scouts nodded yes. The Chairman explained how a meeting's agenda was made, how often the Board met and welcomed them to come to a meeting any time.

One of the Scouts asked how many police officers there were and the Chief indicated there were 45. The Chairman noted that those 45 officers provide continuous service to the town 24 hours a day, 7 days a week.

The Chairman thanked the Scouts for coming and invited them to stay at the meeting as long as they wanted.

PUBLIC PARTICIPATION: Jamie Murdock, 114 Hanover Road, informed the Board that 5 months ago she received a speeding ticket in Town for travelling 44 mph in a posted 25 mph zone. She reported that she was pulled over right in front of the 30 mph sign and believes she was going 41 mph. Ms. Murdock indicated that the ticket was for \$180 and stated that she went to court for it and the prosecutor told her she could pay \$80 cash or make an \$80 contribution to a charity of her choice. Ms. Murdock told the Board she could not afford this based her limited income and asked them for a reduction or withdrawal of the ticket.

Commissioner Faxon stated that he was familiar with how a ticket works and went over the steps with Ms. Murdock. He explained that now the matter was in the courts hands. The Commissioner stated that the Board doesn't have the authority under state law and that the police officer becomes a witness. He added that it was out of the agencies hands and the commissioners' hands; and he recommended she contact the States Attorney Steve Sedensky.

POLICE UNION PARTICIPATION: Union President Ruszczuk indicated he had a procedural question for the Captain which he would address later.

CONSIDERATION AND ACTION ON THE MINUTES FOR: Regular Meeting February 4, 2014: Commissioner Faxon moved to accept the minutes from the regular meeting February 4, 2014 as corrected. Commissioner Sachs seconded and the motion was unanimously approved. Correction: Page 2, 1st sentence, sentence reads, "The Chairman indicated that except for the increases related to contract negotiations, there is no money in the budget for increases." It should read, "The Chairman indicated that there is no money in the budget for increases related to the Police Union contract."

CHIEF'S REPORT: Personnel Report - Chief Kehoe reported that the three new hires were all doing well at the academy and told the Board he was looking at getting their first quarter marks in time for the meeting next month. **Budget 2014/2015** - The Chief informed Police Commissioners that the 14/15 Budget has reached the Board of Finance level with one change adding for monies for the school security program. He stated that the conclusion was that the school security should be split between unarmed and armed with the unarmed in the Board of Ed budget and the armed in the Police budget. The Chief noted that there will be 18 security officers total – 9 armed and the balance unarmed with one director of security covering the 7 public schools in Town. Chairman Mangiafico indicated that this was a rather significant decision that was made. Chief Kehoe stressed that the Board of Education was a significant part of the implementation of this program. The Board discussed the cost of the armed security officers with the Chief who reassured them that the armed security officer would be trained by the department and be qualified at the gun range. He added that these security officers would not have the power to arrest. Commissioner Faxon asked when the firing would begin and the Chief indicated that the security officers would be hired for the 2014/2015 school year with the hiring process beginning the end of the current school year. Commissioner Budd expressed his concern that if one of the armed security officers can't come in to work who fills their spot. Would it be a regular uniformed officer? Captain Rios suggested that they would look at the procedures of two departments with a similar program in place and see what they could adopt. Chairman Mangiafico asked what the fundamental difference was between an SSO (School Security Officer) and the SRO (School Resource Officer). Chief Kehoe stated the SSO would work 180 days only when school was in session. He added that the SSOs did not have the power to arrest under state statute and that they were essentially armed civilians with training. **Fleet Report** – Chief Kehoe reported there had been nothing significant in the last month. **Training Report** – The Chief told Police Commissioners that the report was in their packets. **Letters of Gratitude** – Chief Kehoe stated that there was a letter a gratitude for Officer Chapman.

At this time (8:10 pm) the Webelo Scouts and their leader left the meeting along with several other members of the public.

Correspondences – The Chief stated that there were two correspondences – one regarding the PR1 update from the last meeting and the other from the DOT regarding post mounted signs and flashers. **PR1** - Commissioner Faxon noted that the new electronic report (PR1) seemed a lot more user friendly. Commissioner Budd questioned that. Commissioner Faxon asked when the PR1 would be implemented and Captain Rios stated in January 2015. Chairman Mangiafico asked how much time it would take an officer to fill it out. Chief Kehoe suggested that once the officers knew how to fill it out they would know where to go. Commissioner Faxon asked Union President Ruszczuk what the response was to it and the Union President said they haven't seen it.

After he was given a copy and briefly looked it over, Union President Rusczyk suggested that it looked similar to what they have already. Post Mounted Signs and Flashers -

Chief Kehoe indicated that the State was looking to upgrade all the post mounted signs and electronic flashers in Town. The Chief questioned whether there were some places in Town that didn't have that signage or flashers and would be included in the upgrade if they need it. **Police CBA Negotiations** – Chief Kehoe reported that the Collective Bargaining Agreement (CBA) Negotiations started “tomorrow”, March 5. Union President Rusczyk stated that the negotiations were scheduled for March 5 and March 10. The Chief asked the Police Commissioners to send any of their questions or concerns regarding the CBA to him.

Accreditation Update – Chief Kehoe informed the Board that the Department was up for the renewal of its accreditation and they were gearing up for that. He stated that Sgt. Vanghele runs the process. According to the Chief, the Department renews its accreditation every three years and has been Tier 1 Accredited for the last two consecutive three year periods. He added that they were recognized for the hardships they went through and given a six month extension.

Annual Statistics – Chief Kehoe conveyed to the Police Commissioners that a copy of the report was in their packets. Commissioner Faxon stated that there was one area that shocked him and that was the number of false alarms. He noted that out of 1374 alarms for the past year only two of them were the result of any kind of mischief. Commissioner Faxon indicated that there was an outrageous amount of lost revenue there. The Chief stated that for years the Town had an antiquated alarm ordinance; and then in 2003 or 2004 they presented a stiffer ordinance but didn't go with it because it was a huge change. He noted that many communities allow one alarm and then charge the owner. Chief Kehoe stated that they want to revise the current ordinance, making it stronger and more in line with the recommended policy. Commissioner Faxon question how much time and money was spent on each alarm call. The Chief suggested each call averaged 30 minutes and required two officers to respond roughly \$200 for the time spent. Commissioner Faxon calculated that \$200 multiplied by the roughly 1300 calls last year came to a total alarm response cost of \$260,000. He suggested that there must be a method to cut that number by 75%. Chief Kehoe agreed and said that there were two things he would like to do: Enhance the Ordinance and Turnover Collections to an outside vendor. The Chief said he had a third party vendor look at the alarms and the vendor indicated the department would fit right in but that the Town's alarm ordinance was too lenient for them. Commissioners asked for a copy of the proposed ordinance and the Chief said he would send them a copy of the model ordinance.

Bridge Replacement – Chief Kehoe told Police Commissioners that he had received a letter from the state addressing their concerns about the bridge replacement on Rte 302 near the police department - concerns regarding the sidewalks, moving the lighting, putting the wires underground, and adding a pedestrian safety signal. The Chief stated the original bridge was built in 1929. He noted that 9,000 cars travel across it each day. According to Chief Kehoe, the DOT indicates there will be no detours, there will be two lanes open for traffic at all times, the work will begin in 2015 and end in the spring of 2016. **Testimony to Advisory Commission** – The Chief told the Board that he gave testimony to the Advisory Commission and was joined by Chief Montgomery. He said that they both spoke on the mental health issue and the incident that occurred in Sandy Hook. **Town of Seaside, Florida** – Chief Kehoe stated that Seaside is a very similar to Newtown. He indicated that Officer McCarthy has spent time communicating with the kids there and the Town wants to honor her with a proclamation presented by the mayor and police commission. The Chief said he suggested it be done here.

CAPTAIN'S REPORT: Incident Analysis Written Reports for January 2013 – January 2014: Captain Rios informed the Board that a copy of the report was in their packets which included DUI arrests, cell phone violations, and calls for service for the last 13 months. The

reported indicated that for January 2014 there were 10 DUI arrests and 23 infractions & 20 written warnings for cell phone violations. Captain Rios added that overall he didn't see anything significant to report.

The Captain answered the questions raised at last month's meeting concerning "New Calls" and "Miscellaneous". He stated that "New Call" is the term used when it's a call that is difficult or unable to be categorized. "Miscellaneous" service he said is for just that anything miscellaneous.

Monthly Traffic Enforcement Unit Report for February 2014 – Written Report by Sgt

Bahamonde: Captain Rios told the Board that in addition to the units other activities, the report indicated that weather had impacted traffic. The Captain added that it's been a one man unit after the recent promotion of one of the unit's two officers. **Monthly Detective Division Report for February 2014 – Written report by Lt. Robinson -** Captain Rios informed Police Commissioners that there were no burglaries for the month of February. Along with a host of other tasks, he noted that the division is still working on a missing person's case.

UNFINISHED BUSINESS: Facilities Committee Report (Commissioners Sachs and

Viadero) – Commissioner Sachs reported that the Committee has not held its first meeting yet due to vacations and work schedules. He stated that they have a meeting with Doug Fuchs next week and assured the Board the Committee will have something for next month's meeting. Chairman Mangiafico expressed his concern and stressed that time was of the essence. Scott Cicciari, heading of the building fund, reported that the fund is pursuing discussions at the corporate level and has been talking to GE. In addition, he is working with the architect who did the space needs assessment and is making a donation of a rendering for a building up in a field on the Fairfield Hills Campus. Mr. Cicciari said they should have that by next month. Chairman Mangiafico expressed his concern that some of this activity might be misunderstood. He said the Board should not indicate its building a new building at Fairfield Hills. Chief Kehoe stated that there were two studies done – 1997 and 2008. He noted that the Board of Selectman authorized a new Space Needs Study town wide and that they need to be part of that. The Chief stated that they need to keep everyone in the loop. He added that everyone agrees the facilities here are ill-equipped. Chairman Mangiafico stated that he recognizes there are some that are of the opinion a case has been made to enlarge the police headquarters. He suggested that they get those individuals to recognize a larger headquarters is needed and then get them to agree where. Commissioner Budd noted that the space needs study has been on the books for six years and added that the current building did not accommodate what the needs are now.

NEW BUSINESS: Asset Forfeiture Expenditures – Chief Kehoe told Police Commissioners that the GLA funds balances were in their packets. He stated that the issue is that often times they don't know when expenditures will be and when they will be tapping into these funds. The Chief used the example of the Canine fund which is used for vet bills, food, and general care of the department's canine. Chief Kehoe added that it was hard to manage it when he knows each expenditure should be approved by the Board so he request a resolution allowing him to manage the fund with oversight by the Board. Chairman Mangiafico believed that on a daily operational basis the board should give Chief Kehoe the latitude to make a decision and asked the Chief how much would be necessary. The Chief suggested anything under \$1,000. Commissioner Budd said that all they would ask is that the Chief provide them with a receipt.

Commissioner Faxon made a motion with respect to Fund 138 Police Canine Gift Fund that the Chief be authorized to debit that account \$1000 or less without the pre-approval of the Board. Commissioner Sachs seconded and the motion carried unanimously.

On the topic of asset forfeitures and drug seizures, Commissioner Faxon asked the Chief what the "pulse" of Newtown was with respect to the hard drugs and the recent Heroin epidemic.

Chief Kehoe indicated that the State was in that bout and Heroin use has gone up, but he indicated that these trends are cyclical and Newtown is no different than any other community. The Chief noted that Newtown has people that use Heroin and the department tries to stop them and prevent them. He noted that Heroin is being cut with Fentanyl again, making it very cheap and very dangerous. Commissioner Faxon asked if the Chief had seen any spike in the arrests and Chief Kehoe said not significant just routine ones.

Charter Revision Discussion – Chairman Mangiafico informed the Board that he received a letter from MaryAnn Jacob dated February 24, 2014 asking if the Board had any changes with respect to the Town Charter and if there were any changes they wanted in the next Charter Revision to get them back by March 14, 2014.

Police Commissioners broke out a Charter book and reviewed the section which pertained to the Police Department.

Chairman Mangiafico asked everyone if they had any thoughts about any changes.

Commissioner Faxon indicated he was curious what other Towns have done.

The Board launched into a discussion about the Constables in Town and what exactly their role was now.

Chief Kehoe suggested that there have been discussions as to what they do now and whether or not they are needed.

Commissioner Faxon noted that if the state statute says you have to have Constables you can't take them out of the Town Charter.

Chairman Mangiafico indicated that the idea of having constables in Town should be reviewed and suggested that he would write a letter to Ms. Jacob.

PUBLIC PARTICIPATION: None

Union President Ruszczyk said he had a question regarding the traffic studies report and asked the Captain if it was broken down by the officer.

Captain Rios indicated that it was just a gross number but said they had that information. He recommended that the Union President stop in and see him.

COMMISSIONERS PARTICIPATION: None

EXECUTIVE SESSION: Commissioner Faxon moved to go into executive session at 9:47 pm under General Statute 1-210-B8 to discuss personnel matters and invited Chief Kehoe and Captain Rios to attend. Commissioner Budd seconded and the motion unanimously carried.

Ted Swigart, Clerk