



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

**MINUTES FROM THE BOARD OF POLICE COMMISSIONERS**  
**REGULAR MEETING HELD TUESDAY, January 6, 2015**  
**TOWN HALL SOUTH CONFERENCE ROOM**  
**3 MAIN STREET, NEWTOWN**

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

Chairman Mangiafico called the regular meeting to order at 6:30 p.m.

**PRESENT:** Brian Budd, Joel Faxon, Virgil Procaccini, and Paul Mangiafico

**ABSENT:** Andy Sachs

**ALSO PRESENT:** Chief Michael Kehoe, Union President Scott Ruszczyk, CT State Rep District 106 Mitch Bolinsky, First Selectman Patricia Llodra, Borough Warden James Gaston, Land Use Director George Benson, 1 member of the press, and 2 members of the public.

**OLD BUSINESS:**

**Alarm Ordinance Discussion and Presentation -**

Chairman Mangiafico welcomed Tom Sweeney and Glen Mowrey from Security Industry Alarm Coalition (SIAC). The Chairman indicated that Chief Kehoe and he had met with the two men, both veterans of law enforcement, a month or two ago for approximately an hour and a half regarding the importance of their model alarm ordinance. Mr. Sweeney is a retired Bridgeport and Glastonbury Police Chief and Mr. Mowrey is a retired Charlotte-Mecklenberg Deputy Police Chief in Charlotte, North Carolina.

Chairman Mangiafico indicated that the subject of the use and misuse of alarms has come up before on several occasions. He noted that the high percentage of false alarms were very expensive; and said that after listening to Mr. Sweeney's and Mr. Mowrey's presentation he realized they could no longer afford to disregard the issue.

Mr. Sweeney began by indicating that the idea of the ordinance was renowned across America helping law enforcement become more efficient. He noted that SIAC and IACP's Private Sector Liaison Committee have worked together to develop strategies to reduce false alarm calls.

Mr. Sweeney indicated that 97-99% of the alarm calls are baseless with approximately 25% of that number being fault in the alarm and approximately 75% being a result of human error. He suggested that false alarms were a huge drain on public resources; and added that although they encourage homeowners to install alarms, the alarms still remain a massive drain on police resources. Mr. Sweeney indicated that Bridgeport adopted an early version of the alarm ordinance. He said that in 1999 they had 14,000 calls and since the ordinance was adopted that number was reduced now to 5,000. He informed the Board that the ordinance stresses the duties of the alarm users and the duties of the alarm companies fixing accountability and setting strict standards for the use of alarms. Mr. Sweeney told the Board that alarm sales have gone up 19%, all new homes have alarms in them and many have automated systems that can be controlled from cell phones making the issue of alarms even more of a problem if not controlled properly.

The Chairman stressed that there were 1400 alarms in Newtown last year and 99.85% of them were false alarms.

Commissioner Faxon asked if there was a town that had adopted their alarm ordinance that was similar in population to Newtown suggesting that the Legislative Council, which governs ordinances in Town, would need that information. Mr. Mowrey indicated that Trumbull was and said they have been using it for the past three or four years.

Mr. Sweeney stated that the alarm industry came to him a year and a half ago. He said that the alarm ordinance has been used predominantly in the South and West but for some reason the northeast has never gotten the word.

Commissioner Faxon stated that the Town spent roughly \$100,000 a year on false alarms.

Mr. Sweeney said that in the older cities it is almost accepted that it is their duty to respond to the alarms. He indicated that the individual has the alarm installed by a company and the police department is not a party to it. Mr. Sweeney told the Board that cities like Salt Lake, Detroit and Milwaukee will not send a police car.

Mr. Mowrey informed the Board that his department had a 96% false alarm rate and worked on the ordinance to reduce their alarm calls by 15% in the first year. He indicated that they were pleased when the calls dropped by 40%. Mr. Mowrey said this is why he got involved in SIAC. Mr. Mowrey indicated that SIAC was a non-profit coalition seeking to change the behavior of the end user through education and enforcement. He added that if you change the behavior then you win. Mr. Mowrey suggested that there were good things in Newtown's Alarm Ordinance, but noted that it was very long and could be reduced.

Mr. Sweeney noted that the biggest hurdle was public education. He informed the Board that Newtown's current ordinance doesn't require annual re-registration so the alarm information is dated and there is no accountability to the public buildings.

Commissioner Budd felt all Newtown needs to do is tweak the ordinance it already has.

Mr. Sweeney replied that Newtown has one of the most lenient structures he has ever seen and suggests Newtown needs to put some teeth in the ordinance. He suggested that the more elements that are put in the better the ordinance will be. Mr. Sweeney said that it was not about getting the money from people it was about educating them.

Mr. Mowrey recommended Newtown take the best practices from SIAC alarm ordinance and fuse them into the Town's old ordinance and clean it up.

Commissioner Budd indicated he was old school and said he knew SIAC was non-profit but asked Mr. Sweeney and Mr. Mowrey what was in it for them.

Mr. Sweeney replied that they were both from law enforcement backgrounds and wanted to educate others that false alarms were unproductive.

Commissioner Budd asked what their financial motivation was and Mr. Sweeney said CIAC was created by four major alarm associations to educate. He suggested that they were not selling anything. Mr. Mowrey added that 95% of what they do is for law enforcement. He said they enjoy working with agencies and seeing results.

Mr. Sweeney reminded the Board that this alarm ordinance doesn't deal with robbery or fire alarms.

Chairman Mangiafico thanked Mr. Sweeney and Mr. Mowrey for coming to the meeting and added that hopefully their next visit will be to speak to the Legislative Council.

**PUBLIC PARTICIPATION:** none

Chairman Mangiafico recommended the Board move up the item on the agenda under Old Business the item pertaining to the discussion on Church Hill Road and Main Street. Police Commissioners agreed.

## **OLD BUSINESS:**

**Discussion on Main Street and Church Hill Road** – Chairman Mangiafico said he put the item on the agenda because often the Town discusses the issue of the situation and “people say you have to do something.” He added that one woman had insisted the Chief assign a police officer there for as long as needed. The Chairman indicated that the intersection of the flag pole has been a thorn in everyone’s side for more than three decades. Chairman Mangiafico suggested that the Police Commission which is the local traffic authority could not in good conscience not address this situation. He added that there are numerous problems there at heavy traffic times. He said that in his personal opinion the situation is very complicated as they are state designated road ways and one is federally designated.

Commissioner Faxon said the flag pole is a very historic landmark and is displayed on the arm patch of each officer.

He suggested that given the historic aspect he feels the need to have it preserved.

Commissioner Budd agreed with Commissioner Faxon and indicated that it was not an issue of removing or relocating the flag pole but he suggested that there be a compromise in the interest of public safety. He suggested the Board of Police Commissioners could lend suggestions to get traffic through Newtown safely and effortlessly.

Commissioner Procaccini said that this is the same information that has been discussed before. He said not to do anything with the flag pole.

Mrs. Llodra said she was glad to hear them say they had no intention of doing anything with the flag pole. The First Selectman reminded Commissioners the flag pole was designated a historic landmark and suggested that the issue is traffic volume. She added that if volume is the issue she doesn’t know of any solution. Mrs. Llodra said that if public safety is an issue what is the incident rate there and who is involved.

The First Selectman said they need to know more and added that it’s a difficult intersection and is worth looking at. She noted that redesign of that intersection wasn’t an option.

Commissioner Faxon said that a fairly comprehensive review was done by Lt. Kullgren and the only viable alternative was a round-about but the dimensions of the intersection won’t help. He added that a lighting system won’t work unless they shutdown certain roads.

Chairman Mangiafico indicated that the report by Lt. Kullgren was done 5-years ago.

He said he had a discussion with Mr. Gaston about this and Mr. Gaston had indicated that the Borough was opposed to the signalization of the flag pole because it would ruin the atmosphere of the Town.

The Chairman suggested that the overriding consideration is that they do nothing and it will get worse. He added that he dreads the thought of having another fatality there.

Mr. Gaston said, first, he agreed with the First Selectman that it’s a difficult situation with routing of the road. Second, he added, is that he didn’t find the flag pole area a thorn. The Borough Warden suggested that there are more dangerous areas. He indicated that the area around the flag pole has one of the lowest accident rates in Town and it’s the second most travelled road to I-84.

Mr. Gaston reminded the Board he has lived on Main Street for 23 years and knows about the situation there. He said he spoke to DOT about the flag pole and he stressed that the DOT will never put traffic lights on the flag pole because it doesn’t want traffic backing up on the hill because it’s a safety hazard.

Mr. Gaston also noted that putting traffic lights on the flag pole would be a cosmetic issue too and the trucks breaking for the traffic lights would be extremely noisy. He added that they would destroy Main Street if they put lights on it.

The Borough Warden said that the last study that was done by Housatonic it was suggested that engineers could probably do a round-about but not without Trinity Church and surrounding houses losing property. He added that the sidewalks in that area would have to be torn up as well.

Mr. Gaston said he thinks the suggestion to mark the sidewalks is a great idea.

Mr. Bolinsky said he agrees the flag pole is the center of their Town. The State Rep also said he understands the concept that a round-about will destroy property and traffic lights will back up traffic, but noted that within that right of way there are other possibilities. He suggests that they can count on the Board's expertise to do a study. Mr. Bolinsky said he knows of the near misses and disagrees with Mr. Gaston that there is no problem. The State Rep added that he just had a near miss with a gasoline truck in that intersection. He asked how many near misses a traffic study would provide. The State Rep said he knows the reason for the backups and suggests it's because of people making left turns around the flag pole. As a solution he suggests an extra lane be added.

Mrs. Llodra suggested that they must be really, really, careful before they do redesign as they must take into account the esthetics, culture around the flag pole, and must be vigilant in role of public safety. She recommends they demark the area subtly to alert drivers it's a unique area without doing a major redesign of the intersection and suggested using pavers in crosswalks or highlighting the flag pole. The First Selectman said that most local people will avoid that intersection during high traffic times. She recommended that if they invite the State in she wants to let them know the Town might not like their recommendations.

Bob Merola, member of the Legislative Council and its Ordinance Committee, said they don't want a round-about. He suggested changing the markings in front of the meeting house to delineate the proper path of travel.

Mrs. Llodra suggested that they have a sign at the end of West Street that says right turn only. Chairman Mangiafico said he disagrees with Mr. Gaston because he goes through the intersection 4 to 8 times a day and said "it's exceedingly dangerous." The Chairman added that "if there is a halfway decent volume of traffic you take your life into your hands."

He said it is a really bad situation and is very frustrating and people do things that aren't safe when frustrated.

Mr. Gaston said he doesn't agree that it's dangerous and said the numbers don't show that it is. The Borough warden said he can't remember the last time he had a near miss.

He added that he would love to have some pavers for the crosswalks and lines demarking them.

Mr. Gaston told Police Commissioners that he agrees with the First Selectman if they are going to ask the State to become involved.

Chairman Mangiafico agreed that they should be exceedingly careful about what they ask for.

Mr. Gaston said he loves the Town and the flag pole and added that he would not support any State study that takes away the Town's control of that intersection.

Commissioner Budd told the Borough Warden that a lot of people disagree with what he says.

Commissioner Procaccini asked why they can't meet with the State and prohibit trucks from that road.

Chief Kehoe noted that there were signs on I-84 asking trucks to get off Exit 11. He said he doubts the State wants to prohibit trucks from Church Hill Road because it's a State road and the trucks are carrying commerce.

Chairman Mangiafico suggested that it might be as simple as restricting all the left hand turns at certain points of the day. Chairman Mangiafico asked Union President Ruszczuk what he thought and the Union President said there was no real difference between that intersection and Glover and Route 302. He added that the traffic light doesn't seem to cause an impact here why would it there.

Commissioner Procaccini stated that wide loads must adhere to strict routes so he questioned why the State is having them turn off exit 9 and not off at exit 11.

Mr. Bolinsky said he would take that question straight to the State Commissioner.

Chief Kehoe noted that the State is trying to limit the wide loads time at a light blocking an intersection and he noted that exit 9 is best for that reason.

Mr. Benson suggests that they need to look at the signage and lanes in road by flag pole. He indicated that studies were done in 1988 and 2006 and suggests the Town knows it's a traffic problem.

The Land-Use Director said he thinks they can work with it and not have a study by the State. He believes that it's better if the Town comes up with an idea rather than the State giving the Town its idea. Everyone in attendance agreed.

Chairman Mangiafico thanked everyone for coming.

**CONSIDERATION AND ACTION ON THE MINUTES: Regular Meeting December 2, 2014 and Special Meeting December 16, 2014 - Commissioner Faxon moved to accept the minutes from the Regular Meeting December 2, 2014 and the Special Meeting December 16, 2014. Commissioner Procaccini seconded and the motion was unanimously approved.**

#### **POLICE UNION PARTICIPATION:**

Union President Ruszczyk indicated they were still in contract negotiations.

Chairman Mangiafico reported that he had received an email from Frank Rohrbacher, 8 Nighthawk Lane, Sandy Hook, who couldn't make the meeting. The Chairman went over the letter indicating that Mr. Rohrbacher was not opposed to the location or building of the new fire house or ambulance building but that his goal was to get all the speed tables installed correctly as per the engineer's design. He noted that all 5 speed tables on Queen Street were not the same. Chairman Mangiafico suggested that they ask the Director of Public Works Fred Hurley if there was a change and why. Chief Kehoe indicated that he could shed some light on that.

The Chief said there are three generations of speed tables in Town – the first on Key Rock Road, the second are three initial ones on Queen Street and the third are the last two on Queen Street. Chief Kehoe added that they got better with the design by the third generation. He added that they did deviate the design but with good reason.

According to Chairman Mangiafico, Mr. Rohrbacher agrees with doing a traffic study now that the firehouse and ambulance garage are at opposite ends of Queen Street.

The Chairman thanked Mr. Rohrbacher for his input.

**CHIEF'S REPORT: Personnel Report** – New Hires – Chief Kehoe reported that they have two probationary officers in the academy that are scheduled to graduate in March. The Chief added that Officer Michael Caramadrie graduated December 18, 2014 and is in Phase I of the Department's field training program. **Budget** – Budget Review 2015/2016 – Chief Kehoe told Commissioners that the Chairman and he would be meeting with the First Selectman to go over the Budget. **Fleet** – The Chief said they were taking three cars off patrol and putting three on. **Training Report** – Chief Kehoe reminded the Board that a copy of the report was in their packet. **Letters of Gratitude** – Chief Kehoe stated he received one letter of gratitude from the Town Library for the Department's participation in the 2014 Turkey Trot. **Correspondences** – the Chief informed Police Commissioners they had received two correspondences – the one from the resident they received today and one from OSTA/DOT regarding the installation of warning signs around school areas. **Rumble Strips** – Chief Kehoe told the Board that they have two roads in town that qualify rumble strips down the center of the road on the double yellow line – Hanover Road and Currituck Road. He said that one of the states criteria is that the speed on the road must be 35 mph or better. **Department Awards** – Chief announced that the Department had received two awards - the CPCA 3<sup>rd</sup> Place Category 2 in the Law Enforcement Challenge and Gold Award AAA for safety in the community.

**CAPTAIN'S REPORT:** Chief Kehoe told the Board he would give the Captain's report as Captain Rios was sick. **Calls for Service Reports for November 1, 2014 to November 30, 2014** – The Chief reported that there were 890 motor vehicle stops, one DUI arrest, and cell phone violations. **Detective Division Report for November 2014 – Written report by Lt. Robinson** – Chief Kehoe informed Police Commissioners that they had a copy of the report regarding the division's activities.

**NEW BUSINESS:**

**Discussion and consideration Newtown Medical Office Two, LLC, 168 -170 Mt. Pleasant Road** – Steve Cipolla, an associate with Frederick Clark Associates of Rye New York, showed a map of site of the proposed 30,000 square-foot two-story Medical Office and the roads around it. He indicated that they had conducted a full traffic study and done manual timing counts at the intersection of Route 6 and Route 25.

Mr. Cipolla reported 1050 during the morning peak hours from 7:30 am to 8:30 am and 1200 vehicles in the afternoon peak hours from 5 pm to 6 pm.

He suggested that this would have no significant impact to the traffic signal at the intersection.

Mr. Cipolla indicated that they are proposing at the site access road a bypass lane on the eastbound side of Mt. Pleasant adding 20 feet of pavement. He indicated that as they go through the approval process they will submit something to the state.

Commissioner Budd suggested that the turning lane makes him comfortable with approving the application.

Chief Kehoe informed the Board that corridor was earmarked for development over the next 10 to 20 years.

Commissioner Faxon moved to approve the application for Newtown Medical Office Two, LLC, 168 -170 Mt. Pleasant Road as it relates to the Board's responsibilities. Commissioner Budd seconded and the motion carried unanimously.

**OLD BUSINESS:**

**Discussion on application of Newtown Hook and Ladder Fire Facility** – Chairman Mangiafico told the Board that he sent Rob Manna an email to submit a traffic study. According to the Chairman, he found out that Mr. Manna had been in an accident and was recuperating from back surgery. Chairman Mangiafico informed the Board not heard back from Mr. Manna with regard to the email.

**COMMISSIONERS PARTICIPATION:**

Chairman Mangiafico said he and the Chief were meeting with the First Selectman on January 9, 2014 at 10:30 am with regard to the Budget. He suggested that the meeting would aid the First Selectman in her presentation of the Budget to the Board of Finance.

According to Chairman Mangiafico, they had already run the budget by the Director of Finance and he had made some changes one of which was changing the raises for the Chief and the Captain from a 2% raise to 1.9%.

**PUBLIC PARTICIPATION:** None

**EXECUTIVE SESSION:** None

**ADJOURNMENT:** Commissioner Faxon made the motion to adjourn at 9:03 pm. Commissioner Procaccini seconded and the motion was unanimously approved.

*Ted Swigart, Clerk*

Subj: **Issues and concerns with our towns speed tables**  
 Date: 1/6/2015 2:16:20 P.M. Eastern Standard Time  
 From: [REDACTED]  
 To: [REDACTED]  
 CC: [REDACTED]

Hi Team

Unfortunately I cannot attend tonight's police commission meeting. Please add this to public participation and the minutes.

First thing is I'm **NOT** against the location or the building of a new fire house or the new ambulance building. My goal here is to get all speed tables installed correctly as per engineers design.

[http://www.hvceo.org/transport/transport\\_newtown\\_QueenAreaReport.pdf](http://www.hvceo.org/transport/transport_newtown_QueenAreaReport.pdf)

Just following up on this previous topic that was discussed already via numerous e-mails back around May 2013\* between Pat, Paul, Fred and police commission members. Back in 2013 I had a cross section template made of the speed table as per the engineer's drawing (see attached drawing). With that in hand I did a site visit to see how they matched. What I found was the speed table approach and departure angles weren't consistent with engineer's design and that the speed tables do not have the proper 10 feet of flat area on top of each speed table. You can also ask Vollmer Associates to come out and review them as installed. Now that we have a new firehouse and a new ambulance building on opposite ends of Queen street I personally think the speed tables should be revisited again with having this new additional information. I agree with doing a traffic study and agree with police commission's concerns, please include in study for the response times for Police, Ambulance and especially fire apparatus with no speed tables or properly installed speed tables. To have this study done it shows the Police commission and town has done its part to protect us all.

Please note the following about the correct speed table design:

- 1) Height of the 10' flat area should only be 3" above the actual road surface.
- 2) Approach and departure angle of speed table is 6' long and only a total of 3" in height. I think it worth a trip with a tape measure to see the actual speed tables installed especially the second one in from the town side. I'd be happy to join you if you'd like and bring a template.
- 3) Section B-B with curb. So basically you should have a 2' clearance from curb to start of speed table. This maybe also designed for friendly use of roadway with bicycles.

Bottom line is regardless of the outcome the current speed tables are slowing down ambulances, fire trucks and police to an emergency. That may lead this town into possible lawsuits.

I'm just looking out for the greater good of the town!

Also, I hope I'm not the one that has a heart attack at Big Y and every second counts to save me. We're all getting older.

Please forward this to Virgil Procaccini his e-mail isn't on the town web site

Frank Rohrbacher  
 8 Nighthawk Lane  
 Sandy Hook, CT 06482

\* If an architect or engineer designs something for you to construct you build it the way its drawn or your removing it and doing it right the second time. Yes I understand there's small tolerances allowed in the industry.

Tuesday, January 6, 2015 [REDACTED]