



TOWN OF NEWTOWN
BOARD OF POLICE COMMISSIONERS

MINUTES FROM THE BOARD OF POLICE COMMISSIONERS
REGULAR MEETING HELD TUESDAY, February 3, 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, Andrew Sachs, Virgil Procaccini, and Paul Mangiafico

ABSENT: none

ALSO PRESENT: Chief Michael Kehoe, Captain Jose Rios, 1 member of the press, and 8 members of the public.

PUBLIC PARTICIPATION:

Karen Banks, West Street, thanked Police Commissioners for addressing the issues on Main Street. She stated the Town could do nothing, but that wouldn't be good. Mrs. Banks indicated that a roundabout wouldn't be a good idea because there wasn't enough room for one and added that removing the Flag Pole wouldn't work either.

Mrs. Banks suggested the idea of a "no left turn" off West Street onto Main Street was a partial solution.

She said she would like to have a police presence up in the area of the Flag Pole at peak times - Monday through Friday – or when traffic is diverted off I-84 to see if it would help decrease speed and bad behavior.

Mrs. Banks said that in regards to Borough Warden James Gaston's comment at the last meeting saying there were no problems near the Flag Pole, she had seen many problems and many near collisions. She added that many were cars coming from Church Hill Road onto Main Street, Main Street onto Church Hill Road, cars crossing from Church Hill Road to West Street or southbound cars passing drivers stopped at the Flag Pole on the right.

Mrs. Banks suggested a no passing on right sign be posted. She added that she had someone pass her on the right once as she was attempting to turn right onto West Street.

She added that she has lived on West Street for 37-years and something must be done.

Mrs. Banks again asked the Board to consider having a police presence in the area of the Flag Pole because it's a dangerous area.

In conclusion, she added that when road work begins on the bridge on Route 302 traffic will increase on West Street and she thanked the Board for its time.

Deborah Zukowski, 4 Cornfield Ridge Road, echoed what Mrs. Banks said and indicated that a 160' in diameter roundabout would be very difficult to construct around the flag pole adding that the Historic Nature of the area would be lost in addition to pedestrian traffic.

She question the right-turn only off of West Street suggesting that traffic turning left off Church Hill Road onto Main Street was equally bad and there was more of it.

Mrs. Zukowski suggested that there were no alternatives other than West Street to get from Cornfield Ridge to Big Y, and she added that West Street was narrow, windy and in a shambles. She indicated that the only other option is turning left onto Route 302 which is even more dangerous as it is hard to see traffic coming.

Mrs. Zukowski told the Board that what she believes should be done was proposed at a public hearing in 2005 regarding Church Hill Road, whereby putting in a traffic signal up and down the road from a given area would create gaps in the traffic.

Mrs. Zukowski offered the following suggestions for the traffic problem on Main Street in the area of the Flag Pole:

- Signalize the intersection of Currituck Road and School Street on Main Street
- Change the signs on Route 84 that say “alternate” which usually means plan B to “Route 25 South use Exit 11” and “local traffic use exit 9”.
- Increase speed limit from 30 mph to 40 mph on Wasserman Way from Trades Lane to Route 34 so Wasserman Way would be the by-pass it is supposed to be and not a park road.

Mrs. Zukowski stated that the real problem is that there are no by-pass roads through Town, as the First Selectman said; and she suggested reaching out to the Planning and Zoning Commission about that.

Frank Rohrbacher, Nighthawk Lane, addressed the Board regarding the speed tables on Queen Street. He brought with him a wooden diagram of a speed table and suggested that the ones in place were too abrupt.

Mr. Rohrbacher suggested his primary concern was the response times for the ambulance and fire engines.

He said he was curious if a traffic study was done on Queen Street with the speed tables and recommended that a comparison should be done of the before and after traffic studies.

Mr. Rohrbacher asked if anyone ever spoke to the Director of Public Works regarding the speed tables.

Chief Kehoe stated that the reason some of the speed tables seemed different is because there were four generations of speed tables.

Mr. Rohrbacher took down his wooden sample of the speed table and the Chief suggested he hold onto it for future reference.

Chairman Mangiafico thanked Mr. Rohrbacher for coming to the meeting.

Commissioner Faxon said he didn't have a problem driving over the speed tables at 25 mph, but added that what they didn't want was people slowing down to 5 mph.

Mrs. Zukowski added that she drives over the speed bumps in her Mini Cooper with sport suspension and gets quite a jolt, but said she thinks driving a scooter over them is dangerous.

POLICE UNION PARTICIPATION: none

CONSIDERATION AND ACTION ON THE MINUTES: Regular Meeting January 6, 2015 - Commissioner Faxon moved to accept the minutes from the Regular Meeting January 6, 2015 as presented. Commissioner Budd seconded and the motion was unanimously approved.

CHIEF'S REPORT: Personnel Report – New Hires – Chief Kehoe reported that Officer Michael Caramadrie was at the end of phase two of his field training evaluation. He added that the two probationary officers were doing well, passing their classes, and scheduled to graduate from the academy in March. **Budget – Budget Review 2015/2016** – Chief Kehoe reported that

the Chairman, Commissioner Budd and he had presented the budget to the First Selectman and it went smoothly. **Fleet and Training Report** – The Chief said a copy of the reports were in the Commissioners' packets. **Letters of Gratitude** – Chief Kehoe stated he received one letter of gratitude for Officer Hull. **Correspondences** – the Chief told Police Commissioners he received one correspondence regarding Highland Plaza. **Accreditation** – Chief Kehoe reported that the department was visited 10 days ago regarding its accreditation. He added that they are working through some minor issues and expect to receive it within the next couple of weeks. **Annual Statistics** – The Chief referred Commissioners to the Annual Statistics the department formulated for the Board. Chairman Mangiafico noted that the annual statistic data is not unusual but it confirms a very alarming situation. Every year from 2007 – 2014 the number of real alarms was extraordinarily low but the percentage of false alarms is high. He suggested that this was why the Board was addressing the matter to find solutions to the problem.

CAPTAIN'S REPORT: Calls for Service Reports for December 1, 2013 to December 31, 2014 – Captain Rios reported that the calls for service were in the Boards packets. He cited that Motor Vehicle Stops were down 4% from last month but that DUI Arrests were up with a total of 7. The Captain added that there were 17 written warnings for cell phone violations. **Detective Monthly Detective Division Report December 30 – January 27, 2015 – Written report by Lt. Robinson** – Captain Rios informed Police Commissioners that they had a copy of the detective divisions report was in their packets. He stated that burglaries were up 100% since last year. The Captain noted that there was an increase in copper thefts from homes, mainly vacant ones. **Bureau Commander(s) Update: January 1, 2015** – Captain Rios announced the following: Lt. Chris Vanghele is Commander of Patrol Operations; Lt. Dave Kullgren is Commander of Administrative Services; and Lt. Rich Robinson is Commander of Technical Services. He said he was looking forward to them doing a fine job. Captain Rios informed the Board that Officer Flynn was now the Traffic Officer under Sgt. Bahamonde. He noted that the report speaks for itself. He said Officer Flynn was focused on traffic complaints and working on the fleet and with DOT. The Captain said he was pleased to have an officer back in that position.

OLD BUSINESS:

Discussion on application of Newtown Hook and Ladder Fire Facility – Chairman Mangiafico stated that at the Board's first meeting with Newtown Hook and Ladder on December 16 they were given a presentation of the Fire Department's intentions to build a new fire department but they were not presented with a traffic study. He noted that the applicant had indicated a traffic study was not required. The Chairman said the Board decided not to proceed until it saw a traffic study.

Chairman Mangiafico said he sent an email to Rob Manna, Chairman of the Fire Commission on December 29, 2014 indicating that the Board would be carrying Hook and Ladder's proposal as a piece of unfinished business until a traffic study was submitted. The Chairman suggested that he received no response and subsequently sent out a second email to Mr. Manna on January 28, 2015 asking him if Hook and Ladder needed more time. Mr. Mangiafico noted that Mr. Manna responded by stating that he was unable to get to it.

Chairman Mangiafico said that it was his opinion that the Board will not see a traffic study presented and recommended deleting the item from the agenda. He reminded fellow Police Commissioners that had received a traffic study for every proposal they have had before. The Chairman added that if they don't have the data and information, he doesn't see how they can render a decision.

Commissioner Faxon stated that reading the email he sees Hook and Ladder's response as not being able to complete the Board's request yet. He said he is unable to discern whether the Fire Department would submit a study or not.

Chairman Mangiafico replied that it was his feeling they won't.

The Chairman passed out a letter signed by Borough Warden James Gaston dated January 20, 2015 regarding Hook and Ladder's proposal for a new building on Church Hill Road.

Subsequently, he read the letter into the meetings minutes. In the letter, the Warden stated that it was the opinion of the Borough Counsel that the matter is resolved and Hook and Ladder is fully authorized to move forward with their project and the Warden suggested that "further involvement by the Police Commission would be viewed as an effort to usurp the powers of the Borough Zoning Commission." Warden Gaston stated in the letter that they knew that was not the Commissions intent and it would conduct government duties accordingly.

Chairman Mangiafico said that based on this letter and the non-response of the Fire Commission, the Board would not see a response.

Commissioner Faxon said he thought the Board should vote on whether to remove the application from the agenda or not.

Commissioner Budd expressed his concern that if a person is unhappy with the Board of Police Commissioners decision they can go to the Borough, when the Police Commission is known as the traffic authority in Newtown and makes its decisions with public safety in mind.

Commissioner Budd stated that he was uncomfortable with the precedent this would set.

Commissioner Procaccini agreed with the concerns expressed by Commissioners Budd and Faxon and said he was surprised that someone could circumvent the Board.

Chairman Mangiafico stated that the Board of Police Commissioners has no authority to say a project can't be done all it can say is if it approves of it or not based on safety as the traffic authority.

Chief Kehoe suggested that this was a matter of protocol. He stated that the Borough acted upon the application without it being addressed by the Board, the known traffic authority, which goes against protocol. The Chief said typical the Borough does and he suggested that this be addressed.

Commissioner Faxon stated that he wants scientific evidence with regard to a traffic study. He added that he is not comfortable approving or denying the application in the absence of a traffic study.

Chairman Mangiafico called for a motion to remove the application from the Board's agenda.

Commissioner Faxon moved to remove Newtown Hook and Ladder's application as it relates to approval of project on Church Hill Road given there was no submission of a traffic study.

Commissioner Procaccini seconded and the motion unanimously carried.

Alarm Ordinance Discussion – Chairman Mangiafico suggested that this was an untenable situation noting that commercial buildings, residences, schools, and businesses all have alarms. He suggested that the number of false alarms is staggering and that out of 1500 maybe two are real. The Chairman said that this is a huge manpower burden and cost to the Town. He added that the false alarms cost Newtown \$100,000 to \$150,000 a year.

Chairman Mangiafico stated that the Board had brought in two experts last month and were given a presentation which confirmed Newtown's was a bad situation.

Chief Kehoe indicated that the Town needs to have alarm holders renew alarms every year to keep track of the current alarm holders. He noted that currently they don't do this so they can't tell who have systems or who have new systems, etc.

Commissioner Budd asked the Chief if he had an approximate number of known alarms. Chief added that this is why a renewal of registration would help.

Chairman Mangiafico stated that the thrust of this is not to increase fines but to educate alarm holders to cut down on false alarms.

Captain Rios suggests a mandatory Alarm Ordinance class for someone to go to who violates the ordinance. The class would be similar to a driver's education class for people who violate motor vehicle laws.

Chairman Mangiafico suggested that they needed to give incentives to people to do things right. Commissioner Budd suggested that the Alarm Ordinance could be on Newtown Police Department's web site with a printable PDF version of the application that could be filled out and brought in.

Chairman Mangiafico said he would write a letter to Mary Ann Jacob about this and called for a motion.

Commissioner Faxon moved to empower the Chairman to communicate with the Legislative Council the need for alternatives, improvements, and amendments with regard to the Alarm Ordinance. Commissioner Sachs seconded and the motion was unanimously approved.

Discussion on Main Street and Church Hill Road – Chairman Mangiafico told the Board that there is the opinion that the Town has a pretty serious problem in that intersection with regard to traffic, accidents, safety issues and pedestrian issues. He said that at the last meeting the Board had a lot of input.

The Chairman read a letter dated January 20, 2015 signed by Borough Warden Gaston and Senior Burgess Joan Crick regarding the Flagpole and Historic Main Street Preservation.

The Warden and Sr. Burgess indicated that the Board of Burgesses and Warden took serious umbrage to the Chairperson's reference that the flagpole had been a thorn in the side of Newtown for 30 years." They indicated the flagpole has long been an icon and valuable asset to the Town and slows traffic down better than ugly speed bumps and multiple carnival-like colored signs that accompany them. Additionally, the Warden and Sr. Burgess suggested that statistics demonstrated there are many roadway areas that present significantly more challenges than the flagpole. Finally, they recalled a \$50,000 study that was done a few years ago which suggested that the only solution was a roundabout that would result in the significant taking of property. Chairman Mangiafico said there have been numerous accidents at the flag pole and Chief Kehoe indicated there were 94 accidents there in the last 5 years.

Chairman Mangiafico stated that other Commissioners have addressed this subject and gotten such resistance that it died a quiet death. He said that no matter what is done someone will be unhappy. The Chairman noted that to do anything requires State approval and said he agrees with the First Selectman that they only want the State to give recommendations.

Commissioner Faxon agreed stating the town wants local control over what can be done.

Chairman Mangiafico stated that studies have been done but nothing has happened.

Commissioner Procaccini suggested that maybe the State hasn't done anything because the Town has accepted 100% liability with whatever happens in that intersection.

Commissioner Budd indicated that all the signage on I-84 defers traffic, but if a GPS says get off here the motorist or traveler gets off there.

Commissioner Procaccini suggested not allowing thru-trucks on that part of Church Hill Road.

Commissioner Budd indicated that 9300 cars come up Church Hill Road per day.

Chairman Mangiafico noted that the State won't allow Commerce Drive to proceed to Wasserman Way because it would have to go over wetlands, but he questioned why it was that highways can be built over rivers.

The Chairman stated that the subject is complicated and he thinks that any solution has to involve the State unless it involves window dressings such as painting lines, etc.

Commissioner Budd suggested that the Chief reach out to DOT with their take on things. The Chairman and fellow Commissioners agreed. Chief Kehoe indicated he would.

NEW BUSINESS:

Adoption of Policy and Procedures – Chief Kehoe reported that he had for the Board revisions of several policies.

Policy and Procedure - Traffic Accident and Investigating Annual Reporting - The Chief said he had several brief changes including the new PR1- known as the “MUCC”- that’s come out, and the new CAD/RMS system, as well as some typos.

Commissioner Faxon made a motion to accept and approve the Traffic Accident and Investigating Annual Reporting Policy and Procedure subject to amendments made and corrections. Commissioner Bud seconded and the motion unanimously carried.

Policy and Procedure - Medication and Disposal Program – Chief Kehoe told the Board that Drug Control wanted to insure no diversions were taking place.

Commissioner Faxon moved to approve the policy and procedure with regard to medication disposal. Commissioner Budd seconded and the motion was unanimously approved.

Policy and Procedure - Taser Use – The Chief stated that there has been a lot of public opinion as to when officers can use this very valuable piece of equipment. He noted that it is important that trainers advise officers of when the appropriate use is. The Chief indicated that the Department had only one use of the taser last year and noted that a use of force report is mandatory.

Commissioner Faxon made the motion to approve the Taser Use Policy and Procedure. Commissioner Sachs seconded and the motion unanimously carried.

Policy and Procedure – Domestic Violence Lethality Assessment Program (LAP)-

Commissioner Faxon moved to approve the Domestic Violence LAP Policy and Procedure. Commissioner Sachs second and the motion was unanimously approved.

COMMISSIONERS PARTICIPATION: none

PUBLIC PARTICIPATION:

Mike Guman, 38 Main Street, asked the Board about the options regarding the intersection of Main Street and Church Hill Road.

Chairman Mangiafico suggested that there were no options in a formal way and added that everything was on the table. He noted that they were gathering information to think about things. Mr. Guman said he hadn’t seen stop signs and speed limits listed and said he would like to add them as options.

He asked how a traffic light would help with regard to accidents in the intersection

Mr. Guman said that a roundabout sounded expensive and added that if painting lines didn’t help a stop sign or speed limits might.

EXECUTIVE SESSION: Commissioner Faxon moved to go into Executive Session at 8:37 pm under 1-201 of the General Statutes to discuss personnel matters. He invited Chief Kehoe and Captain Rios to attend. Commissioner Procaccini seconded and the motion was unanimously approved.

At this time the clerk left the meeting.

The Board left the executive session at 9:39 pm and the meeting was adjourned.

Ted Swigart, Clerk