



TOWN OF NEWTOWN
BOARD OF POLICE COMMISSIONERS

MINUTES FROM THE BOARD OF POLICE COMMISSIONERS
REGULAR MEETING HELD TUESDAY, June 2, 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, Andy Sachs, Virgil Procaccini, and Paul Mangiafico

ABSENT: none

ALSO PRESENT: Chief Michael Kehoe, Captain Jose Rios, Union President Scott Ruszczyk, Public Works Director Fred Hurley, Garrett Bolella an associate and traffic engineer with Frederick P. Clark Associates, 1 members of the press, and 5 members of the public.

PUBLIC PARTICIPATION: Michelle Ferris, 2 Sugar Hill Road, said she understood why the Board approved no parking signs along Route 302 in front of Ferris Farms and that there were complaints about a lot of cars parking on Sugar Hill Road by a number of residents that live in a subdivision further up the road. She indicated that the residents had proposed the Town put up “no parking” signs along both sides of Sugar Hill Road as the cars parking there were creating an unsafe situation. Mrs. Ferris told the Board that she believed that the cars parked on the outside of the road allowed enough space for other cars to pass and that the parked cars actually helped to slow traffic down. She added that her concern was the sign pollution and questioned that if the Town put up signs, would the signage be the entire length of the road. Mrs. Ferris said she agreed with putting a few signs at the end of the road. She indicated she had pictures of the cars parked off the road and offered to show them to the Board but Chairman Mangiafico suggested that would not be necessary at that moment.

Chairman Mangiafico said he would like to see signs near the entrance but not all the way up the road and Mrs. Ferris suggested the no parking signs be put up within 30 feet of the stop sign at the end of road.

Commissioner Faxon expressed his concern that emergency vehicles would be able to get up the road if cars are parked on Sugar Hill especially if parked on both sides of the road.

Mrs. Ferris concluded that she thought the road was wide enough if cars were only parked on one side.

UNION PARTICIPATION: Union President Ruszczyk stated he had nothing to report. Chairman Mangiafico congratulated the Union on its victory.

CONSIDERATION AND ACTION ON THE MINUTES: Regular Meeting May 5, 2015 and Special Meeting May 13, 2015 - Commissioner Faxon moved to accept the minutes from

the Regular Meeting May 5, 2015 and the Special Meeting May 13, 2015. Commissioner Budd seconded and the motion was unanimously approved.

To accommodate those in attendance at the evenings meeting, Chairman Mangiafico recommended the Board move both items on the agenda under Old Business forward and the Board agreed.

OLD BUSINESS:

Discussion on Key Rock Road Calming Study – Mr. Bolella reported that the firm had done a comprehensive study of Key Rock Road and the existing speed tables and collected a significant amount of information from April 19, 2015 to May 2, 2015. He informed the Board that along with collecting the speed of traffic they also collected the volume of traffic at the different hours of the day. Mr. Bolella stated that the fastest average speed on the road of 47 mph was recorded around #31 Key Rock Road while the slowest average speed of 30 mph was recorded near #47 mph. He added that the average speed between the two existing speed tables was 31 mph. The engineer stated that from 2009 to 2014 there were 6 accidents that occurred on Key Rock Road but there was no significant pattern.

Mr. Bolella reported that after evaluating the location their recommendation was that the speed tables would be more effective in a series.

He reminded the Board that Key Rock Road was 4500 feet in length – barely a mile long. He suggested that speed tables were typically set 300 to 500 feet apart, were visible from both directions, not on a curve, and not on a hill.

Mr. Bolella said it was also recommended to put speed tables at both entrances to the road to let people know it has speed control devices on it.

As a result of the Calming Study, Mr. Bolella made the following recommendations: Maintain the current speed table on Key Rock Road nearest North Branch Road and remove the other; and add three new speed tables on Key Rock nearest to the following locations #12, #31, and #47 North Branch Road.

Commissioner Faxon asked what the plan for paving the road and Mr. Hurley stated that they would pave it in conjunction with the Mr. Bolella's recommendation.

Commissioner Budd asked Mr. Hurley if they would mill the road first and the Public Work Director said they would mill it and may have some reclamation in some areas. He noted that reclamation was where they would actually have to take up sections of the road surface and redo it completely.

Commissioner Faxon asked what the time frame was and Mr. Hurley said sometime early July with a goal of finishing by Thanksgiving but if there was extra work involved they might finish in early spring.

Commissioner Mangiafico asked why they were recommending reusing the old speed table when they were putting in three new speed tables.

Mr. Hurley said they would mill the first one down to make it less abrupt and more like the new ones.

Chief Kehoe stated that everything was outlined nicely, but asked if the funding was there.

The Public Works Director said yes and replied the cost would be rolled into the paving project.

Commissioner Sachs asked if the signage was an issue and Chief Kehoe stated that they were prepared for that.

Carine Kuhn, 8 Key Rock Road, asked if the speed table could be moved from #12 to #8 as she had a young child as did #10 and suggested that cars are speeding past their homes and one day a child will get hit.

Mr. Bolella said that they could put signage before their homes in advance of the speed table which would help slow traffic down.

The concerned resident stated that people were yelling at them as they were backing out of their driveways.

Chairman Mangiafico indicated that the first speed table would be 300 feet within Sugar Street and asked if that was enough time for cars to slow down. The traffic engineer said he believed so.

Mr. Hurley suggested that the signage and markings on the road preceding the speed tables would help with that.

Commissioner Faxon expressed his concern that drivers could not to slow down immediately to the road's 20 mph posted speed limit and that would cause accidents.

Chairman Mangiafico told Mr. Bolella that it was a nice proposal.

Commissioner Faxon moved to accept the proposal as presented. Commissioner Budd seconded and the motion unanimously carried.

Discussion on Main Street and Church Hill Road – Chairman Mangiafico reminded the Board that after they had been asked to develop data on the top ten worst intersections, some individuals found the information inadequate when they received it.

The Chairman added that the Board has had numerous discussions on it and suggested that the Board needs to decide what it intends to do.

He said they could decide to do nothing or elect to do something.

Chairman Mangiafico opened the floor for discussion and asked his fellow Police Commissioners how they felt.

Commissioner Budd said it was his belief that there were concerns about any member of the Board or the Chief going to the DOT. He added that if they do it with due diligence, address concerns, and ask the State for its feedback without committing to it so it should be ok.

Commissioner Budd reminded the Board that Main Street is a state controlled road and not controlled by the Town, so they need to have a conversation with the State.

Commissioner Sachs asked if they could guarantee the meeting would be informal and the State wouldn't automatically do a study. Commissioner Budd said he thought so.

Commissioner Sachs expressed concern the State would do it anyway, put a giant rotary in, and declare eminent domain. He asked if there was any protocol.

Chief Kehoe suggested they hire Frederick P. Clark Associates to come in and look at it. The Chief said they are use to working with the State and suggested it was the best way to do an informal study. He added that was an option and took the state out of the equation.

Commissioner Sachs said he doesn't like spending the money but likes the option.

Commissioner Budd stated that he thought it was well justified.

Commissioner Sachs asked if they could get an understanding of the costs and suggested that he wants something as comprehensive as the Key Rock Road study.

Commissioner Procaccini indicated that he has always stated that he wants an expert to come in and liked having the State out of it.

Commissioner Faxon said he was ready to hear what the traffic engineers have to say.

Chairman Mangiafico he liked the idea and asked Police Commissioners if they would give him the authority to talk to Frederick P. Clark Associates to find out how much it costs. The

Chairman suggested that if it costs under \$5,000 to have them come in to the next meeting to let them know what the Board wants them to do, what options to eliminate accidents and traffic at the intersection, and to let them tell the Board what they think.

Commissioner Faxon acknowledged that none of them are traffic engineers and that they need to make decisions based on professional recommendations.

Chairman Mangiafico asked if the Board was all in favor of the idea and the Police Commissioners all said yes.

CHIEF'S REPORT: Personnel – Chief Kehoe reported that the two new officers were finishing phase two of their training and moving into phase three soon. **Budget** – The Chief informed Commissioners that there was a summary of the Budget in their packets through May 29, 2015. He indicated that the salaries and wages of over-time were in the negative. **Fleet Report** – Chief Kehoe said there was none. **Training Report** – The Chief told the Police Commissioners a copy of the training report had been emailed to them and apologized for that it had not been sent out earlier with their packets. **Letters of Gratitude** – Chief Kehoe stated he received one letter of gratitude for Officer McGowan that was in their packets. **Correspondences** – the Chief reported that they had sent out a correspondence to the State DOT/OSTA regarding the “no parking” signs on Route 302. He added that he had just received approval from DOT/OSTA for the “no parking” signs and it was up to the engineer where they would be placed. **Town of Newtown – Police CBA Highlights** – Chief Kehoe said the CBA Highlights were in their packets. **Town of Newtown Working CIP 2016 – 2021** – The Chief said the Department was working on the CIP 2016 – 2021. He said he spoke to Finance Director Bob Tait who said that because they were working on the Town –Wide Space Study the Department did not have to work on the CIP. He reassured the Board that the needs of the Department will remain in the plan. **Newtown Police Family Violence Offense Breakdown 2013** – Chief Kehoe reported that the update was in their packets. **Alarm Ordinance Update** – the Chief indicated that they had offered the two Chiefs to come out to a meeting. **PD Space Needs** – According to Chief Kehoe, he met with the committee looking at the Department’s Space Needs and said that they gave the representative who came out a verbal and physical presentation. The Chief added that it was a real eye opener for them that day. **3 feet sign update** – Mr. Hurley reported that he had a list of 5 roads that were a high priority for the signs. He indicated that the roads were broken down into three categories – high priority, medium priority and low priority. Mr. Hurley said he had received 25 of the 3 feet signs and indicated Public Works would stretch the 25 signs as far as they would go. **“Rumble Strips”** – Mr. Hurley indicated that the State’s program included 32 roads from around the state which were targeted to get the “rumble strips” and Currituck Road was the road selected in Newtown. According to the Public Works Director, the Town paves the road and State comes in and makes the “rumble strip.”

CAPTAIN'S REPORT: Calls for Service Reports April 1, 2014 to April 30, 2015: Captain Rios reported there were 21 arrests, 729 motor vehicle stops, 5 DUI arrests, and 92 total cell phone violations which included infractions and written warnings. **Traffic Unit Report for April 2015 - Written Report Sgt. Aaron Bahamonde:** The Captain indicated the report highlighted that the Traffic Unit was busy with Display Signs on the various roads in Town, assigning tasks to address the complaints for the month of May as well as performing the various duties they are involved in. **Detective Division Report for April 2015 – Written report by Lt. Robinson:** Captain Rios stated for the month of April there were 4 burglaries, 5 larcenies, 1 sex offence, 2 narcotics charges and 8 fraud/ bad checks. **Dog Sniff at High School** – The Captain updated the Board with regard to a Dog Sniff at the High School a couple of months ago which included Newtown’s K-9 Unit. He said some vehicles were searched and there were no arrests. **June DUI Check Point** – According to Captain Rios, there will be a DUI Check Point held on June 20 because its prom season and the schools are getting out. He said there will be 7 officers working the check point manned by a Sergeant from 7 pm until 3 am. The Captain reminded parents when they hold prom parties that they ask the kids to stay at those parties and not to drink.

Commissioner Faxon asked if Newtown’s Canine was trained to sniff for drugs and the Chief and Captain said yes. Chief Kehoe stated that theirs is trained to find a person and/or drugs.

NEW BUSINESS:

Discussion on No Parking Sugar Hill Road – Chief Kehoe noted that the issue was clearly stated by the residents of the road that when the parking on Route 302 was eliminated customers of Ferris Farms looked for the next place to park which was Sugar Hill Road. He said that complaints by residents of a subdivision off Sugar Hill Road were investigated by Officer Flynn. The Chief noted that it was a small road and there could be a public safety issue. He said it was Officer Flynn's recommendation that there be "no parking" signs installed on Sugar Hill in both directions. Chief Kehoe added that it was a concern by residents of the road that the signs would cause sign pollution.

Chairman Mangiafico said he had a problem with no parking signs.

The Chief said he wants to limit sign pollution and suggested they may have three or four signs on each side with a sign that says, "No Parking on Sugar Hill Road" but added that they still need to put up signs.

Commissioner Faxon asked what was happening with the parking lot expansion and

Commissioner Sachs said it's looking like they are getting an exemption from wetlands.

Commissioner Budd stated that he was concerned with the recommendation. He said they sought to keep as much traffic off Route 302 as possible using no parking signs and the patrons were now parking on Sugar Hill Road. Commissioner Budd suggested that they put up "no parking" signs on one side of Sugar Hill Road and let them park on the other. He added that looking at the pictures he could see that patrons can safely park on one side of the road.

Chairman Mangiafico agreed and suggested that parking should be on the side exiting onto Route 302.

Captain Rios stated that by allowing that they would force traffic to drive up Sugar Hill Road and turn around to leave. He added that he was also concerned about pedestrians crossing Route 302 at night.

Commissioner Procaccini asked if they were having an officer directing traffic during peak times and Captain Rios said no. The Commissioner said he was concerned they were encouraging people to cross Route 302.

Commissioner Faxon said he agreed with Commissioner Procaccini.

Commissioner Budd recommended that Ferris Farm hire a police officer to work Friday, Saturday, and Sundays or whatever the peak hours are.

Chief Kehoe said that they only hire an officer if it's an event because they found that constantly hiring officers was cutting into their profits.

Commissioner Faxon recommended that they get a zoning lawyer to petition to increase their parking area. He added that what benefits public safety the most is the issue.

Chairman Mangiafico recommended that they ask the Chief to write a letter suggesting they have to increase the parking capacity or they have to hire a police officer or we will have to contact zoning. Commissioner Faxon said he thinks it creates a hardship but that it's a move in the right direction.

Commissioner Faxon moved the Town install "No Parking" signs on both sides of Sugar Hill Road as well as a "No Parking on Sugar Hill Road" sign and the Chief uses his discretion as to where and how many are placed. Commissioner Sachs seconded and the motion passed 4-1 with Commissioner Budd opposed.

Personnel Discussion – Chairman Mangiafico announced that he had received a letter from Chief Kehoe indicating his intention to retire on January 6, 2016 after 37 years of service. The Chairman said being retired himself he believes the Chief is doing a wonderful thing. He thanked the Chief for his dedication and service to the community.

All the Police Commissioners clapped and stood to shake the Chief's hand expressing their well wishes.

Chairman Mangiafico asked the Board to add a policy and procedure discussion to their agenda with regard to their Drug Policy and Procedure.

Commissioner Faxon moved that the agenda be amended with regard to the Drug Policy and Procedure. Commissioner Budd seconded and the motion was unanimously approved.

Chairman Mangiafico recalled the Board had discussed the arrest of a Sergeant and Dispatcher and the Police Department issued a press release. He said he asked the Chief to review the Drug Policies with Union President and also the Union. The Chairman then asked Chief Kehoe and Union President Ruszczyk if there was anything they feel they need to do to change the policy. Chief Kehoe said that there is always room for improvement. He said that areas could be changed with more randomized drug testing.

According to Mr. Hurley, drug testing is important for the (Public Works) drivers to retain their CDLs. He said that originally the Union came to the Town to get this in place with response to public safety. The Public Works Director said it has run flawlessly for the past 20 years.

According to Mr. Hurley they use an outside company called CCM which handles all of their random drug testing. He noted that in the event of an accident additional testing would be mandated. The Director also indicated that a drug test could be requested if a problem is suspected but there must be reasonable cause for it.

Commissioner Budd said it was his feeling that most of the officers are in favor of it because they don't want to work alongside someone who is under the influence.

Commissioner Faxon asked Union President Ruszczyk if he had any sense of the acceptance of this and the Union President said he can't speak to it but said he has a number of individuals who are in favor of it. Union President Ruszczyk added that he is against random testing that doesn't appear random.

Commissioner Faxon said he is in favor of expanding the schedule of drugs tested for to include a much broader schedule of drugs. He suggested that in light of what has happened they need to show they have a zero tolerance.

Chairman Mangiafico asked Chief Kehoe if he felt the drug policies and procedures they have are deficient and the Chief said yes and that he believes they should expand the schedule and random testing.

Chief Kehoe said they need to research it to see what vendors would do all this with regard to a broader based schedule. Mr. Hurley said Public Works system is good and recommended CCM. The Chief added that confidentiality is very important.

Commissioner Faxon suggested that Stratford Police department has the ability to test for steroids.

Commissioner Procaccini said he would like to talk to someone regarding what they should do. Mr. Hurley recommended the use Corporate Help.

Commissioner Faxon suggested they ask them to come in.

Chief Kehoe said he would call either Corporate Health or CCM.

COMMISSIONERS PARTICIPATION: None

PUBLIC PARTICIPATION: None

ADJOURNMENT: Commissioner Faxon motion to adjourn at 8:21 pm. Commissioner Budd seconded and the motion was unanimously approved.

At this time the clerk left the meeting.

Ted Swigart, Clerk