



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

**MINUTES FROM THE BOARD OF POLICE COMMISSIONERS**  
**REGULAR MEETING HELD TUESDAY, September 1, 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, Michael Galante Executive Vice-President and traffic engineer at Frederick P. Clark Associates, Newtown High School Principal Dr. Lorrie Rodrigue, Director of School Security and Safety Mark Pompano, 1 member of the press, and 21 members of the public.

Chairman Mangiafico informed everyone that he was going to move items up on the evening's agenda to accommodate those in attendance – specifically the discussion on the Main Street and Church Hill Road Fred Clarke Proposal and the discussion regarding Oakview Drive.

**PUBLIC PARTICIPATION:**

Sherry Birmingham, 42 Main Street, reminded the Board that she has attended two prior meetings regarding Main Street and the Flag Pole intersection. Ms. Birmingham told Police Commissioners that the Chase Building on the corner of West Street and Main is undergoing renovations. She suggested that it was going to be a pub and recommended the commissioners check it out. Ms. Birmingham indicated that a large deck had been built where the grassy area and outside cement staircase use to be. She noted that there is very little room to walk along that side of West Street now and asked Chairman Mangiafico what the Board had in mind to keep it safe.

Chairman Mangiafico told Ms. Birmingham that the Board of Police Commissioners had nothing to do with that and reassured her that the matter hasn't come before the Board as of yet.

Ms. Birmingham suggested the deck makes the area unsafe and is only adding to the Flag Pole problem. She said she wonders if people going to the meetings at the Meeting House will be able to park in the parking area there.

Chairman Mangiafico stated that the school authorities had made a request through the First Selectman allowing 50-60 teachers to use the access road. He noted that originally the road was designed strictly for emergency vehicles only. The Chairman said he would put the item on the Board's next agenda for discussion.

**UNION PARTICIPATION:** Union President Ruszczyk stated he had nothing to report.

## **OLD BUSINESS:**

### **Discussion on Main Street and Church Hill Road – Frederick Clarke Proposal –**

Mr. Galante told the Board that they were about to embark on a study of the Flag Pole intersection and would be doing traffic, pedestrian and school bus counts in that area shortly. He informed the Board that they can now match their numbers to the CT DOT data going back 3 to 10 years now that it's available.

Mr. Galante said he was there to answer any questions.

Chairman Mangiafico asked fellow Police Commissioners if they had any questions and they said no.

He stated that clearly there was resistance to the Board moving forward with another study and it pains him. The Chairman added that most of the studies resulted in not much of anything being done.

Chairman Mangiafico stressed that the study the Board does will not sit in a drawer. He suggested that it might end up being the Board does nothing but it would not let the study sit in a drawer and by default do nothing.

The Chairman emphasized that the situation needs to be resolved

Commissioner Budd said that the Board has discussed this before. He said that public safety is their number one agenda and added that they are not advocates of removing the Flag Pole. However, Commissioner Budd said that it would be irresponsible of them not to take into account any of the modern safety measures that are available. He added that the Flag Pole intersection is the hub of the area and if the safety of the public is at risk its irresponsible not to take action.

Commissioner Procaccini said he had no comment as did Commissioner Sachs.

Commissioner Sachs moved to proceed with the traffic engineering study by Frederick Clarke Associates. Commissioner Budd seconded and the motion carried unanimously.

Chairman Mangiafico indicated he would sign off for Frederick Clarke Associates to proceed with the study and Mr. Galante stated that he would communicate with the Board on a regular basis.

## **CONSIDERATION AND ACTION ON THE MINUTES: Regular Meeting August 4, 2015**

- Commissioner Budd moved to accept the minutes from the Regular Meeting August 4, 2015. Commissioner Sachs seconded and the motion was unanimously approved.

## **NEW BUSINESS:**

### **Discussion on Oakview Drive, Newtown High School Emergency Entrance Use – Dr.**

Rodrigue request Oakview Drive – the Newtown High School Emergency Entrance – be open for access by 50 to 60 Newtown High School employees during the peak weekday morning hours to relieve the congestion and traffic delays that were present while school was in session. She indicated that there are currently 1686 students and 250 staff at the High School which is used 7 days a week adding that 400 of the students parked their cars on campus.

Dr. Rodrigue indicated that all the monitoring and security of the emergency entrance would be done in house by a school security officer at the gate. She told Commissioners this was a pilot program they would like to try, but added that with the decreasing school population in Town it might end in a few years.

Commissioner Budd said that he understood their concern and appreciates their thinking outside the box but he suggested that this has the potential to create more negative than positive issues.

The Commissioner suggested that parents running late would try to use the entrance only to be turned away frustrated. He added that the issue revolves around a poor design utilizing a single entrance as oppose to two entrances like Danbury and Monroe.

Commissioner Sachs said he tended to agree with Commissioner Budd and said he had some security questions as well.

Commissioner Procaccini stated that he was concerned about the existing road condition having been back and forth on the road. He suggested that without a major design change of Oakview they were looking for serious problems.

Chairman Mangiafico stated that he was troubled from the very beginning. He said a statement was made that the Road would only be used for emergency vehicles. The Chairman questioned why the 50-70 teachers selected to use the emergency access road should be treated any differently than anyone else. Chairman Mangiafico indicated that Oakview was not designed for traffic, the sightlines were poor and it was curvy.

Dr. Rodrigue suggested that by taking those cars out of the mix would make it safer.

Commissioner Sachs said his only issue was about Oakview not about the teachers using it.

Chairman Mangiafico reminded everyone about the Regency resident who spoke forcefully against the proposal to allow teachers to regularly use the emergency access. He told Dr. Rodrigue that she was not showing him a compelling argument.

Dr. Rodrigue said their request was just to take cars out of the mix and said that if it doesn't add to the wait time it would help everyone. She said she saw the Chairman's point.

Chief Kehoe reminded everyone that the State was redesigning the intersection of the I-84 ramping to try and alleviate the congestion of the intersection. He added that the State recognizes that the problem extends past Oakview, Wasserman, and Toddy Hill.

First Selectman Llodra said that the States renovations would be a big improvement for that area. She said the State will develop an access lane as one proceeds West on Route 34 to get onto I-84 and noted that is only 3 or 4 years out.

Chairman Mangiafico asked if the school would allow all 250 of the staff access and Dr.

Rodrigue said no, there was no reason to do that. She added that only those who need it would be given access.

Given the number of residents present at the meeting, Chairman Mangiafico opened the floor for discussion.

Mark Hill, 23 Oakview Road, said he was there with his wife and couldn't make sense of the request. He recalled that a commitment was made to only use the road for an emergency access for the High School. Mr. Hill stressed the danger of cars backing up on the road to where the blind spot is leaving rapidly approaching young drivers heading to school no option and nowhere to go but into the other cars or off the road. Finally, Mr. Hill asked how everyone planned to get emergency vehicles to a house in the area if both sides of the road are blocked.

Many of the residents in attendance clapped.

Another area resident who lives at the Regency echoed Mr. Hill's concerns and added that people speed down the road like crazy. He suggested this was a recipe for disaster.

Many of the residents noted that very often cars were park in an around the emergency access entrance during sporting events and the like, and question how this can happen when there are no parking signs.

Ryan Knapp, 11 Jeremiah Road, said that he grew up on Oakview and was there representing the Legislative Council. He said he recognizes the concerns suggesting that the area is very congested as the entrance is in the worst possible spot.

Mr. Knapp said they need to consider loss of resources diverting security from the school to the back area of the school. He said he understands the request but does not think it's a good idea and for that reason asks that the Board take no action.

Sharon Ivan, 5 Oakview Road, expressed her concerns about the dangerous situation she faced getting her mail so much so that she asked for the post office's permission to move her mailbox. She said she frequently has to ask people to get out of her yard and regularly reports drivers speeding and parked vehicles blocking the fire hydrants and the Emergency Access Road. Ms. Ivan said she was told by the school that it is not their problem. She said it is dangerous because there are no sidewalks for the kids to walk on. As a solution to the traffic congestion entering into the high school, Ms. Ivan suggested the school repeal the High School juniors' parking passes and only let the seniors use the park area. Another option she recommended was telling the juniors and seniors that they had get to school earlier or before a given time if they want to drive to school.

Ms. Ivan said the situation is preventable.

One Oakview resident blurted out that it's too dangerous to have traffic on Oakview Road. Another resident piped up that it doesn't make sense to keep the gate closed and suggested Town should open up the gate at the end of the Access Road and allow vehicles to park in the small 19-car parking lot that's right there.

Chairman Mangiafico asked Dr. Rodrigue if the Board of Education sanctioned the request and Dr. Rodrigue said no they wanted to get the Board's approval first as they were told that was the first step.

Chairman Mangiafico called for a motion to deny the request.

Commissioner Sachs moved to deny the request for access of Oakview Drive for parking for the High School, Commissioner Procaccini seconded and the motion unanimously carried.

The public left following the vote at 7:25 pm, pleased with the Board's decision.

#### **OLD BUSINESS (continued):**

**Update on Police Chief Search** – Chairman Mangiafico reported that the search was going very well. He said the Search Committee had reviewed all 10 of the applications and would be interviewing through the month of September. The Chairman added that the timetable for selecting the new Chief is October.

#### **CHIEF AND CAPTAIN'S REPORTS:**

Chairman Mangiafico told the Chief Kehoe and Captain Rios that the Board had received and read their reports and asked the Chief if there was anything he would like to address. Chief Kehoe reminded the Board that the 2015 Canine Challenge was coming up on October. He said the event was collaboration between the Newtown Kennel Club and the Department. The Chief added that K-9 Officer Figol was spearheading the event. Chairman Mangiafico asked the Captain if he had anything to add to his report and the Captain said no.

#### **COMMISSIONERS PARTICIPATION:** None

#### **PUBLIC PARTICIPATION:**

Dave Link, 24 Cherry Street, told the Board he was there regarding a site line issue and the speeding motorists just after Black Cherry Street. He said that it's so out of control his wife who is hearing impaired almost got hit three times.

Mr. Link reported that a mailman said that out of all the roads in Town this one and Key Rock are the worst.

He told the Chief and Captain that he knew they run radar but suggested that they lower the speed limit in that area.

Chairman Mangiafico indicated that the Board was quite aware of the problem as they had received Mr. Link's letter.

First Selectman Llodra invited Police Commissioners to take a ride on Riverside Road towards #24. She said there was a hidden driveway sign well before the driveway and agreed it was a difficult spot with a tree and rock protruding from the side of the road. First Selectman Llodra stated she had discussed the issue with Public Works Director Fred Hurley and that they would take the tree down and smooth out the rock. Furthermore, the First Selectman said she could attest that the speeding has been constant and indicated that it's an accident waiting to happen.

**EXECUTIVE SESSION:**

Commissioner Budd made the motion to go into Executive Session under 1-210 of the General Statute for the purposes of discussing litigations against the Town. He invited Chief Kehoe and Captain Rios to attend. Commissioner Sachs seconded and the motion unanimously carried.

At this time the clerk left the meeting.

Commissioner Faxon joined the meeting at the beginning of the Executive Session.

The Board exited executive session at 9:49 pm.

Commissioner Faxon moved to promote Officer Scott Smith to the rank of Sergeant effective September 2, 2015. Commissioner Sachs seconded and the motion was unanimously approved.

At 9:50 pm the Board adjourned.

*Ted Swigart, Clerk*