



TOWN OF NEWTOWN
BOARD OF POLICE COMMISSIONERS

MINUTES FROM THE BOARD OF POLICE COMMISSIONERS
REGULAR MEETING HELD TUESDAY, December 1, 2015
TOWN HALL SOUTH CONFERENCE ROOM
3 MAIN STREET, NEWTOWN

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

Commissioner Faxon called the regular meeting to order at 6:30 p.m.

PRESENT: Brian Budd, Joel Faxon, Andy Sachs, Dan Rosenthal, and Bob Myer

ABSENT: none

ALSO PRESENT: Captain Joe Rios, Union President Scott Ruszczyk; Chief -To-Be 2016 James Viadero, 1 member of the press, and 17 members of the public.

NEW BUSINESS:

Discussion and Action on Election of Chairman and Vice-Chairman for Newtown Police Commission -

Commissioner Sachs moved to nominate Commissioner Faxon as Chairman and Commissioner Budd as Vice-Chairman. Commissioner Myer seconded.

Commissioner Rosenthal stated that in his experience that the Board of Police Commissioners has always been a bi-partisan effort between Democrats and Republicans. He added that he couldn't think of a decision the Board has ever had to make that that had come down to who is a "D" and who was an "R". Commissioner Rosenthal said he likes the idea of Commissioner Faxon who is a Democrat and Commissioner Budd who is a Republican sharing the leadership of the Board of Police Commissioners and said he thinks it's an example that he would like to see other Boards and Commissions follow. Commissioner Rosenthal added that he looked forward to serving under their leadership.

Commissioner Faxon stated he would like to echo Commissioner Rosenthal's comments and said he thinks it's a bold step for their Board to make this move noting it's different from many of the Boards in Town that may run solely based on their political party. Commissioner Faxon went on to say that given his four years of experience, even though he was in the minority, he voted in favor of every single vote they had. He said that this is very much a non-partisan Board.

Commissioner Faxon added that he thinks the Board can make decisions based on the people that are on the Board and what their qualities are and is confident they will be able to work in this manner moving forward.

Commissioner Faxon called for a vote and the motion was unanimously approved.

Following the vote Chairman Faxon, thanked former Chairman Paul Mangiafico who was in the audience for his four years of leadership of the Board. He said it was very effective and that they made a lot of positive improvements over the four years and said he hopes that will continue.

Commissioner Faxon noted that he hopes the former Chairman will continue to come to their meetings and be vocal as he has in the past.

PUBLIC PARTICIPATION: Herman Valentin, 9 Pearl Street, told the Board he has been living on Pearl Street for the last 9 months and is a retired New York City Police Officer. He said he has had the opportunity to observe the traffic on Pearl Street and stated that there is excessive speeding. He suggested that the road is not wide enough to accommodate so many vehicles. Mr. Valentin stated that he doesn't have the opportunity to walk or jog and is literally held captive by the traffic. He said he talked to the police and that there is an average of 1300 cars on the road daily traveling at an average speed of 31 mph. Mr. Valentin said he thought that average speed was much lower than it really was and believed the reason was that the "speed tubes" were too close to the intersection of Tilson Lane. He indicated that he took pictures of the tubes and believes that vehicles turning off of Tilson onto Pearl Street are traveling a 5 mph when they hit the tube lowering the actual average speed of traffic on the road. Mr. Valentin suggested the speed tubes be placed on the hill where the cars can reach the highest rate of speed. Mr. Valentin informed the Board that he went door to door and collected signatures from 60% of the residents in favor of speed humps. For the record, he gave a copy of his letter to the Board as well as a letter from a fellow resident along with the signed petition.

Commissioner Sachs said he tends to agree with what Mr. Valentin said and stated that he travels the road every day and believes the recorded average speed numbers are too low. He also suggested moving the tubes.

Captain Rios stated that the tubes were 50 feet from Tilson.

Subsequently, Mr. Valentin used his phone to show pictures of the tubes locations to the Board. Vincent Imerti, 28 Pearl Street, informed the Board that he lives in almost the middle of the Street. He stated that he had a copy of the accident report from December 9, 2014, where a vehicle knocked out the power, took out the cable and hit trees. Mr. Imerti said he works on his cars in the garage behind his house and hears the cars going up and down the road. He said he has a Dodge Charger with the Police Package, parked it out front of his house, and it seemed to work slowing down the traffic. Mr. Imerti noted that Officer Hayes had been out there a couple of times and added that something needs to be done. He believes speed humps are the best solution.

Alex Rio, 4 Tilson Lane, told Police Commissioners that he agrees with everything said so far and suggests that if they test the speed again they determine how many vehicles are speeding. He added that he doesn't see the validity of determining an average speed. Mr. Rio suggests moving the speed tubes on hill between intersections of Charlie's Circle and Tilson Lane or before the corner. He said he has a baby girl and he can't even take her for a walk.

Richard Mitchell, 45 Poverty Hollow Road, informed the Board that he has had to replace his fence and has had his mailbox clipped 4 times. He suggested that cars fly by his house at certain times and that he has two granddaughters, ages 8 and 5, that he doesn't want to let out because of the traffic. Mr. Mitchell stated that police have caught a lot of speeders but he needs a solution to the problem. He told the Board he could get a hundred people to sign a petition without a problem. Mr. Mitchell said he is afraid something is going to happen and that it is the worst road he has ever lived on.

Charles Dunn, 30 Pearl Street, reinforced what had been said by stating that just backing out of his driveway he takes his life in his hands. He suggested that cars drive the fastest in front of his house and stated something must be done. Mr. Dunn added that he has to stand back from the mailbox and stretch to get the mail out when cars are coming.

Patty Goldbach, 4 Pearl Street, stated she would like to piggyback on what Herman said.

According to Mrs. Goldbach, she is the first house on the Street and can tell the Board what the car is and the speed it goes but she can't catch them. She told Commissioners she knows by the

sound what car or truck it is and suggests a speed hump would help. Mrs. Goldbach stated she has called the police department a few times and officers run radar, catch a few people then leave. She added that there is definitely an issue and a problem with people speeding. Mr. Valentin concluded that Pearl Street is a condition and if you have a condition you need to drop the hammer on it. He added that if people are speeding you need to come down hard.

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

CONSIDERATION AND ACTION ON THE MINUTES: Regular Meeting November 3, 2015 - Vice-Chairman Budd moved to accept the minutes from the Regular Meeting November 3, 2015 as amended. Commissioner Sachs seconded and the motion was unanimously approved. Correction: Under Old Business, Update on Police Chief Search, Page 2, in the motion the number “65” should be replaced with the word “section”.

CHIEF’S REPORT: Captain Rios noted that Chief Kehoe was on vacation. He asked if anyone had any questions with regard to the Training Activity Report that was in their packets. Hearing none, he moved on to the Captain’s Report.

CAPTAIN’S REPORT: Calls for Service October 1, 2014 to October 31, 2015 – Captain Rios stated that a copy of the report was in their packets. **Traffic Unit Report –** The Captain stated that Sgt. Bahamonde’s written report detailed their efforts with regard to such items as traffic enforcement, speed complaints, Calls for Service and Pearl Street. **Detective Division’s Report –** Captain Rios reported that in Lt. Robinson’s written report there was nothing significant. He indicated there were several break-ins to cars that were left unlocked as well as one burglary. The Captain suggested that as a precaution people lock their cars and take their keys into their house. **Holiday Grant –** Captain Rios reported that the department had received a Grant allowing them to perform extra DUI patrols over the holiday period as well as a DUI Check Point on December 18, 2015.

OLD BUSINESS:

Traffic Study update Main Street/ Church Hill Road/ Flagpole – Captain Rios informed Police Commissioners that they should have the traffic engineer’s report before their next meeting in January 2016.

He reported that a week ago three individuals were jogging southbound on Main Street crossing the crosswalk by the Trinity Church when a car traveling eastbound on Church Hill Road made a left turn hitting and injuring one of the joggers who was 10-years old. The Captain stated that the driver was cited for failure to yield right of way at a crosswalk.

According to Chairman Faxon, they have dealt with this in the past and have said this needs a remedy.

Traffic Study on Pearl Street – Captain Rios reminded the Board that they have had an ongoing traffic problem with speeding on Pearl Street. He said they have had officer out there in the past and recently performed a traffic study on November 9 through November 16, 2015. The Captain said tubes were set in place to look at the problem. He indicated that the posted speed limit on Pearl Street is 25 mph and that the road is often used as a cut-through for vehicles travelling from Philo Curtis Road to Route 34. Captain Rios said the report indicates:

- 85% of the vehicles were travelling at an average speed of 35.9 mph
- there were 4 accidents in the past 5 years

- the average speed was 31.2 mph

Chairman Faxon asked Captain Rios what the history was with regard to the speed box versus an officer out on Pearl Street and the Captain said there was definitely speeding going on.

Mr. Valentin stated that he has tried to look into the cars but he doesn't recognize anyone.

Captain Rios stated that the department will continue to run radar and put out speed boxes but it needs assistance from the residents passing the information on to them. He added they will follow it up and knock on a door or make a phone call.

Commissioner Sachs asked Captain Rios if the speed tubes could be rolled out in a different location and the Captain said yes.

Mr. Rio asked if in their data they had the average daily number of vehicles passing through the street and what amount were speeding. Captain said 86% were traveling 36 mph which is 10 miles an hour over the posted speed limit. Chairman Faxon stated that an average of 1233 vehicles was traveling on Pearl Street daily. Vice-Chairman Budd indicated that of those vehicles 31 cars were traveling between 40-45 mph, 231 traveling 35-40 mph, and 516 traveling 30-35 mph.

Mr. Rio noted that was a fair number of cars speeding on a daily basis.

Chairman Faxon stated that they needed to have more data on actual speeds and different time frames, more enforcement, and more data points. He suggested that the people that live there are the best source of information.

Captain Rios said they would hopefully get the tubes out for another week before the snow flies.

NEW BUSINESS (continued):

Acceptance of Schedule of Meeting Dates for 2016 – Commissioner Sachs made the motion to accept the dates for the 2016 Meetings. January 5, February 2, March 1, April 5, May 3, June 7, July 5, August 2, September 6, October 4, November 1, December 6; and January 3, 2017. All meetings will begin at 6:30 pm. Chairman Faxon seconded and the motion unanimously carried.

Sandy Hook Permanent Memorial Commission – Kyle Lyddy – Sandy Hook Permanent Memorial Commission (SHPMC) Chairman Lyddy stated that they were going to all the Boards and Commissions in Town to give them a summary of their progress. He indicated that three of the parents of victims are on the Commission. Mr. Lyddy indicated that the Commission communicates with the 26 families monthly as well as the all the staff and students that were there on 2014. He noted that members of the Sandy Hook Fire Department, EMTS and PD that were polled differed it to the 26 families. Mr. Lyddy also indicated that they reached out to the community at large via email correspondences, open forums, and in person. He said the process took over a year.

To access a location inventory, Mr. Lyddy indicated they had a sub-committee working with the Town and Rob Sibley of the Land-Use Department. He said they were given 30 different locations. He noted that people wanted it to be secluded so there was no outside noise and it wasn't in a place that it could be seen every day. Mr. Lyddy noted that this cut the locations down to a dozen. Ultimately, he said they ended up with a location up on the Fairfield Hills Campus at High Meadow behind the Youth Academy.

Mr. Lyddy stated that he wasn't there for the Board to vote but rather for its input.

Chairman Faxon noted that this was a great undertaking and involved a lot of time. He asked if they planned to have security surveillance up there.

Captain Rios indicated that FHH security was up there and then asked if there was access to get emergency vehicles up there.

Mr. Lyddy suggested that there was an old farm road and that they needed to have handicapped parking up there. As far as security, he noted that the water towers up there already had video surveillance and suggested that they might be able to piggyback off of that.

Vice-Chairman Budd recommended that they build into the RFP a full-time video surveillance to protect the monument.

Review and Discussion on Fiscal Year 2016-2017 Police Budget – Captain Rios thanked Chief To-Be Viadero for being there stating that he was inheriting the budget. The Captain also offered his thanks to Chief Kehoe for putting together such a good budget to move the Department forward.

Captain Rios reminded the Board that the current 2015-2016 Budget was a decrease of 1.34% but reported that the proposed 2016-2017 Budget is an increase of 4.6% due to contractual salary increases and employee benefits.

The Board discussed the Budget for several minutes more before making a motion.

Commissioner Budd moved to accept the proposed budget of \$6,704,463 for Fiscal Year 2016-2017. Commissioner Myer seconded and the motion was unanimously approved.

COMMISSIONER’S PARTICIPATION:

Commissioner Sachs noted that the “no parking” signs were not up on Oakview yet. Chairman Faxon recommended Captain Rios look into it. Captain Rios stated that they should have been put in.

PUBLIC PARTICIPATION: none

ADJOURN MEETING: Commissioner Sachs moved to adjourn at 8:02 pm. Vice-Chairman Budd seconded and the motion unanimously carried.

Ted Swigart, Clerk