

**STONINGTON BOARD OF POLICE COMMISSIONERS
REGULAR MEETING
MAY 9, 2013
5:00 PM AT THE STONINGTON POLICE HEADQUARTERS
MEETING MINUTES**

Present: Chair Scott Bates and Vice-Chair Mel Olsson
Commissioners Harry Holt, Patrick Moukawsher and Frank Pucci
Chief Darren Stewart and Captain Jerry Desmond

1) Call to Order / Pledge of Allegiance

Chair Bates called the meeting to order at 5:00PM.

A Statement from Police Commission Chairman Scott Bates:

Good Afternoon,

I will need to excuse myself a little before 5:30 today for a family commitment, but our meeting will continue with Vice-Chair Olsson assuming the chair at that time. We do have several important matters before us today and so I did want to share some thoughts with you before we get into the heart of our meeting.

First, I wanted to bring attention to a matter of overriding importance to me and I know the members of this Commission; that is regarding school safety in these days after the Newtown Shootings. Often the work of this Commission revolves around issues like requests for stop signs, parade permits and noise ordinances. These are all important issues and we consider ourselves grateful to be able to work on these issues on behalf of our fellow citizens.

But there are times like the massacre that took place in a school in Newtown Connecticut, or the bombing that took place in Boston, that place all these issues in perspective.

Our sworn duty and that of every man and woman in this Department, is to protect and serve the people of this Town. We do so in an era of increasing need and diminishing resources. That means we as citizens must set priorities.

We must all concentrate on what is truly important, and focus our energy and attention onto the core matters of public safety. That is ensuring the safety and security of our children and all citizens in this Town.

On the matter of the bombing in Boston, our neighbor just to the north and the capital of all things New England, I think it important to share with you all that as Chairman of this Commission I was in constant contact with our Chief of Police during those dark days.

1) Call to Order / Pledge of Allegiance (cont'd)

A Statement from Police Commission Chairman Scott Bates (cont'd):

For in the immediate aftermath of the attacks and during the manhunt that followed, it was very possible, and now we know it was the plan of the terrorist, to move on to New York. All communities between Boston and New York had to be on alert. During this time, Stonington stood ready.

In this day and age our officers require knowledge and training on homeland security issues and protocols. We will need to continue to ensure that our officers receive the training and equipment they need to meet just these types of challenges in the years to come.

I wanted to update you all on the issue of school safety. In the days after the shootings at Newtown, this Department took immediate action to ensure we were doing all we could with the resources we had to protect our children.

We deployed officers to provide a reassuring presence at schools and we reviewed and changed response protocols to adapt to a new security environment. This Commission led the way by placing a budget request to fully resource a responsible and sustainable security plan for our schools.

We received unanimous support from the Board of Education for a plan calling for an innovative school security system to be installed at West Vine Elementary and for our request for resources for increased police presence at schools and for emergency response training exercises.

Working with school administrators and Town officials we have accomplished two of our three priorities. Response protocols are now updated and the West Vine school safety pilot project is underway. I believe it will prove to be a leader in the state.

Tonight we will have the opportunity to craft a proposal that will help us secure some of the resources necessary to carry out a Town wide school safety training exercise that can coordinate the planning and response of not only law enforcement but all those responsible for public safety and health in this community.

The Chief will present this proposal to you later this evening and I hope you will support the plan and send it forward to the Board of Finance for action. The plan will also include some funds in response to Selectman Haberek's proposals for increased vigilance in downtown Pawcatuck as well.

I would also like to turn your attention to some matters that will likely arise in public comment. Last month we heard the complaint of some residents of the Richmond Lane area regarding an issue involving a dirt bike.

1) Call to Order / Pledge of Allegiance (cont'd)

A Statement from Police Commission Chairman Scott Bates (cont'd):

In response to this inquiry our Department secured from the New London Police Department the equipment appropriate to measure noise levels. Our officer took a reading according to protocol. The reading was within the legal limit.

There is a noise ordinance in the Town of Stonington. It is focused on noise that may exceed limits after 10PM to 6 AM. It is unclear to me if the bike riding is taking place during those hours, but if not it would appear to be within statutory limits.

There is a zoning regulation which mentions noise levels in residential areas. This Department has not heard from a zoning officer regarding any alleged violation.

There are some who have suggested that it is up to this Commission and this Department to fashion a response to this particular complaint.

This Commission and this Department see it as well within our duty to comment on public safety proposals emanating from elected officials and the Town Attorney who fashion proposals based on requests from our elected representatives. However, it seems poor precedent for this Commission to develop law enforcement regulations centered on particular incidents in which no apparent violation of the law is taking place.

In essence, this would be creating a change in the law for the sole purpose of pursuing an enforcement action against a particular individual. It may not be good practice for the authority that enforces the law to be the sole creator of the law.

Indeed, if there is to be a change in the law on this matter, I would suggest that broad community participation should be the foundation for consideration of any such change.

For a change in the law would affect all citizens, not just the complainants. The car mechanic who has to rev engines for testing his work, the homeowner who has to use a chain saw or wood chipper to clear out storm damage in her yard, the garage band practicing to make it into the big time. All would be affected.

These are our friends and neighbors. All those needs must be taken into account when developing broad based public policy.

After consulting with the State's Attorney's Office in New London, Stonington, police officers have received feedback that they are proceeding in a prudent manner on this matter; therefore prosecution of a case based on noise, unless circumstances change or an officer feels probable cause now exists, will not occur at this time.

1) Call to Order / Pledge of Allegiance (cont'd)

A Statement from Police Commission Chairman Scott Bates (cont'd):

We look forward to hearing all views and opinions. This is your town, this is your Police Department and we encourage a dialogue on this and all other issues relating to public safety.

2) Remarks of Visitors

Aaron Green, 18 Richmond Lane

Re: Dirt Bike Issue, Richmond Lane, Mystic, CT

Appeared before the Commission to inform them that four additional people have signed the petition presented last week, and thanked the Commission for the response regarding their complaint. Confirmed decibel report was sent to Planning & Zoning. Would like Commission to be aware that 75 cities & towns in the State have noise ordinances.

Commissioner Moukawsher clarified that these ordinances are determined by Planning & Zoning.

Chief Stewart explained that the States Attorney's Office confirmed that the Police Commission is acting appropriately at this time. No criminal activity is occurring; the Commission cannot both create and enforce a law.

Chair Bates stated that the Police Commission enforces the law, but does not want to create the law, that is a matter for the community working together. Chair Bates suggested broader based community interest may help.

Commissioner Moukawsher explained that this is the Police Commissions first opportunity to act as a board since the matter was brought up at the last meeting. The Commission would like to see this matter resolved, however they are not the group to resolve it.

Bike Stonington

Jennifer Lacker, Bike Stonington

Discussed Mystic Mobility Study from 2010, in attendance to ask that as the Local Traffic Authority, the Commission write a letter to Mr. Charles Harlow, DOT Traffic Division, requesting that sharrow stencils be included in their upcoming repaving project of RT 27 scheduled for this October, as stipulated in the study.

Chair Bates asked if there are not approved bike lanes, is it safe to put the sharrows on the road if it will encourage riding in an unsafe area.

2) Remarks of Visitors (cont'd)

Bike Stonington (cont'd)

Ms. Lacker stated that it is more of a warning for cars.

Captain Desmond stated that they were bringing a Planning & Zoning issue forward, however the vision should not come from the Commission, it should come from the Town.

Chief Stewart stated that the Town will be responsible for getting a permit, as well as maintaining the road stencils.

Chair Bates suggested that Ms. Lacker go forward to the Planning & Zoning Commission, and the Police Commission can investigate and talk to the DOT to see if there are any liability issues by putting these sharrows on the road in non bike lane areas, as he is concerned it will be seen by the DOT as being a safety issue.

Chair Bates turned the meeting over to Vice-Chair Olsson at this time.

Robert Kapell, Bike Stonington

Working to develop a plan that will work with Stonington, it just came to their attention that this road is about to be paved very soon, and he thought this was something that needs to take place at the same time.

Commissioner Moukawsher stated that the Commission cannot make an endorsement without the input of Planning & Zoning.

Vice Chair Olsson stated the timing issue is not as imminent as Bike Stonington assumed, painting can take place after the road is paved, and they should first approach Planning & Zoning.

Grace Vandal, Mystic CT

Would like the Commission to envision a family friendly Route 27

St. Michaels 4th Annual 5K Road Race & 1 Mile Fun Run/Walk

Molly Kunka & Pete Robinson, St. Michael School

In attendance to request approval for the St. Michael School 5K Road Race & 1 Mile Fun Run/Walk

- A motion was made by Commissioner Pucci to approve St. Michael's 4th Annual Road Race & 1 Mile Fun Run/Walk, provided all necessary paperwork and insurance is in place. Motion seconded by Commissioner Moukawsher, all in favor, motion approved.

3) Correspondence

None

4) Traffic

- a. Update on Richmond Lane
- b. Letter Re: St. Michael School 5K Road Race & 1 Mile Fun Run/Walk - See Remarks of Visitors
- c. E-Mail Re: Bike Stonington – see Remarks of Visitors
- d. E-Mail Re: Mystic River Bascule Bridge Restoration – New Vehicle Gate

5) Approval of Minutes for the April 11, 2013 Regular Meeting

A motion was made by Commissioner Pucci to approve the minutes from the April 11, 2013 Regular Meeting. Motion seconded by Commissioner Moukawsher all in favor, motion approved.

6) New Business

None

7) Old Business

None

8) Report of the Chief of Police

- a. Budget Report
- b. Monthly Report
- c. Alarm Report
- d. Pawcatuck Statistics
- e. Special Event Schedule
- f. PSAP
- g. 911 Monies

- A motion was made by Commissioner Moukawsher to put forward a request to the Board of Finance to allocate 911 monies as follows:

FY2012 – 2013: \$49,820:

- \$10,000 for MDTs
- \$15,000 Pawcatuck camera system
- \$24,820 to the car account

FY2013-2014: \$52,484

- \$26,484 to school safety
- \$26,000 to Dispatch

Motion seconded by Commissioner Pucci, all in favor, motion approved.

- h. Two minor cruiser accidents, no damages
- i. Met with Westerly Police Department regarding a downtown camera system
- j. Met with Westerly Hospital ER representatives regarding critical incidents
- k. Met with new Borough Warden & Police Commissioner
- l. Captain submitted boat specifications
- m. Memo Re: White Rock Road incident - Vice Chair Olsson commended responding officers
- n. Captain received a call from press re thorough work on FBI case

A motion was made by Commissioner Moukawsher to approve the Report of the Chief. Motion seconded by Commissioner Holt, all in favor, motion approved.

9) Consent Agenda

- a. Letters Re: Our Lady of Fatima Processions
- b. Letter Re: Angel Ride/Young Angel Ride
- c. Letters and Memo Re: Good Job – Officer Cullen
- d. Letters & Highway Use Permit: Mystic Outdoor Art Festival/Taste of Mystic
- e. Letter Re: Taugwonk Road Horse Sign
- f. Letter Re: Benefit Fun Run
- g. Letters Re: Mystic Seaport Antique & Classic Boat Rendezvous
- h. Letter Re: Clairmont Cluster Subdivision Certificate Extension
- i. Memo Re: White Rock Road Incident
- j. E-Mail Re: SoNew Cyclone Event
- k. Letter Re: Liberty Crossing Certificate Extension
- l. Highway Use Permit: Brain Injury Alliance Charity Bike Event
- m. Letter Re: Troop E
- n. Memo Re: Click It or Ticket
- o. PVET Grant

A motion was made by Commissioner Moukawsher to approve the Consent Agenda. Motion seconded by Commissioner Holt, all in favor, motion approved.

10) Executive Session

At 6:00pm a motion was made by Commissioner Moukawsher to enter into executive session for the purpose of interviewing candidates for the position of Communications Specialist. Motion seconded by Commissioner Pucci, all in favor, motion approved.

8:27 PM Commissioner Pucci made motion to come out of executive session, seconded by Commissioner Moukawsher, all in favor.

8:28PM Commissioner Moukawsher made a motion to extend a conditional offer of employment to Keith Andrews contingent on the successful completion of a psychological exam, physical exam, and continued background. Motion seconded by Commissioner Holt, all were in favor.

8:29PM Commissioner Pucci made a motion to place the remaining three candidates on a list for possible consideration of short-term openings in Dispatch. Seconded by Commissioner Moukawsher, all in favor.

8:30 PM Motion to adjourn by Commissioner Pucci, seconded by Commissioner Holt, all in favor.

Respectfully Submitted,



Frank Pucci, Secretary