



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

**MINUTES FROM THE BOARD OF POLICE COMMISSIONERS**  
**REGULAR MEETING HELD TUESDAY, OCTOBER 4, 2011**  
**IN THE MEETING ROOM OF TOWN HALL SOUTH**  
**3 MAIN STREET, NEWTOWN**

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

Chairman Duane Giannini called the meeting to order at 7:32 pm.

**PRESENT:** Brian Budd, Bruce Walczak, Neil Randle, and Chairman Duane Giannini

**ABSENT:** James Viadero

**ALSO PRESENT:** Police Chief Michael Kehoe, Police Captain Jose Rios, 1 member of the press, Union President Scott Ruszczyk, Lt. George Sinko; and 3 members of the Public.

**PUBLIC PARTICIPATION:** Ed Miklaszewski, 4 Chimney Swift Drive, told Commissioners he had come before the Board 3 years ago in regards to putting an officer at the flag pole, but nothing had been done. He asked Commissioners to revisit the matter; and he suggested that the Police Department post an officer at the flag pole to direct traffic during rush hours for a trial period of two months. Based on what the crossing guard gets, Mr. Miklaszewski suggested the Board allocate \$2000 for this trial period. In terms of the issue of safety, he noted that an officer under the lights of the flag pole would actually be safer than the one who directs traffic on Church Hill Road in front of St. Rose School in the dark with only a flashlight. To support the notion, Mr. Miklaszewski noted that officers in NYC, throughout the country and different parts of the world, will often shut off the traffic lights and direct traffic during rush hour. He added that for safety and convenience, something needs to be done.

**POLICE UNION PARTICIPATION:**

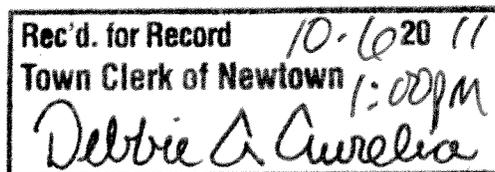
Union President Ruszczyk addressed the Commission thanking them for the opportunity to come before the Board and asked what exactly the Commissioners expected from him.

Chairman Giannini explained that the Board of Police Commissioners wanted to give the Union the opportunity to discuss with the Board important issue related to Union/ management relations keeping it at a higher level to give them an idea of the challenges they are facing and may not be aware of.

The Union President explained that the reason he was there was in regards to the new Lieutenant's position and the elimination of the Sergeant's position.

Chairman Giannini noted that the decision for the changes had been approved unanimously by Board.

Union President Ruszczyk noted that negotiations were over and they hadn't reached an agreement.



Chief Kehoe recommended the Union President go back to the Union's attorney to discuss what to do next.

Again Union President Ruszczyk questioned what exactly the Board expected the Union to discuss indicating he doesn't want to "overstep bounds," and bring up something that is not appropriate for that setting.

Commissioner Walczak asked if the Union President had a chance to read the minutes and queried if there was some things that need to be discussed that aren't in the minutes.

Union President Ruszczyk explained that the Union was looking to protect the existing two positions and protect the Sergeant whose position was being eliminated.

Commissioner Walczak asked the Union President if there was any philosophical issue the Board needed to beware of, and Union President Ruszczyk said no.

Commissioner Budd asked if the Union President knew of any other pressing issues and Union President Ruszczyk again indicated no.

Chairman Giannini suggested to the Union President that just the fact that he was there heightens their awareness of the issue.

Commissioner Randle indicated that he should feel free to ask a question and if its not appropriate the Board will let him know.

Commissioner Walczak reassured Union President Ruszczyk that the Police Commissioners were an informal Board and they want the flow of conversation to get them in-tune with the issues officers are facing on a day to day basis.

**CONSIDERATION AND ACTION OF THE MINUTES FOR: REGULAR MEETING SEPTEMBER 6, 2011** – Commissioner Budd moved to accept the minutes of the regular meeting of September 6, 2011, as corrected. Chairman Giannini seconded and the motion was unanimously approved.

Corrections:

Page 3, under NEW BUSINESS: Discussion and restructuring of command and supervisory staff, 3<sup>rd</sup> line from the bottom of the page, Commissioner Randle noted that the word, "similar," should be "simpler."

**CHIEF'S REPORT: Personnel Report** – Chief Kehoe reported that Sgt Wisentaner and he attended the graduation of the Departments three new officers Paula Wickman, Joseph Michael and Matthew Pirhala last Wednesday. **Budget – 2011-2012 September** – The Chief told commissioners that they had a copy of the report for 2011-2012 and that there was nothing remarkable. He noted that the department is trying to update what is on its files with what finance has in its files. **CIP** – Chief Kehoe indicated that the money for the facility design study was placed in their 2015-2016 fiscal year. Commissioner Walczak expressed his frustration that it gets pushed out to year 5 every year and noted that it was putting an inordinate amount of pressure on the police force to get the job done. Chairman Giannini agreed, but noted that in the current climate it would be tough to get it approved sooner. Commissioner Budd reminded fellow commissioners that the police department currently occupies a 50 year old building that was designed to be a retail tractor shop. **Correspondence Re-Trade \$** - The Chief reported that the trade in money from the sale of the 2007 Ford Crown Victoria will be used towards the purchase of the new 2011 vehicle because the cost of the new Fords is more expensive than originally anticipated. **Fleet** – Chief Kehoe indicated that fleet is status quo. **Training Report** – The Chief told commissioners that a copy of the training report for September 2011 was in their packets. **Letters of Gratitude** – Chief Kehoe noted the department received one letter of gratitude for commending Sgt Wisentaner and Sgt. Robinson for their efforts during Tropical Storm Irene. **Correspondences** – The Chief reported that the Department had received several

correspondences last month which were in the Commissioners' packets **Restructuring of Department** – Chief Kehoe indicated that the restructuring of the Department was ongoing. **Safe Media Campaign** – The Chief noted that some of their ideas for the safe media campaign were in the Commissioners' packets and indicated that the question was now how can they identify the facets of safe driving for a 12 – month period. He noted that the department has lots of initiatives and put them into areas of importance, i.e. motor safety in July, and indicated that they can be moved around as the Board sees fit. Chairman Giannini suggested that someone pen an article for a specific effort. Chief Kehoe suggested that December be for something such as DUI's. Commissioner Budd suggested that November be focused on looking out for Deer and that Distracted Driving be the focus in December. Lt. Sinko noted that the department did a release every year regarding the prevalence of deer at this time of year due to their mating habits. He indicated that the article also included safety tips. Chairman Giannini suggested that if the Department already has an article ready to go they should embark on their Safe Media Campaign now and not miss this opportunity. **Closure of long standing Federal Asset Forfeiture Case – Dr. Evans** – Finally Chief Kehoe reported that the long-standing asset forfeiture case against Dr. Evans will be closing in approximately 6 months.

**CAPTAIN'S REPORT:** Captain Rios reported they had done a three month traffic analysis report for July, August and September for the years 2009, 2010 and 2011. He noted that in September 2011 there were 854 stops in comparison to 515 in September 2010. The captain said they were up 66% August 2011 to August 2010 and up 110%, July 2011 to July 2010. Captain Rios emphasized that the message is clear – the Department won't tolerate aggressive driving.

**Incident Analysis Report for September 2011** – Captain Rios reported that there was nothing significant. He reported that there were 35 motor vehicle accidents, 8 burglaries and 8 DUI arrests. **Traffic Enforcement Unit (TEU) Report for September 2011** – The Captain indicated that along with working on the crosswalk report, the traffic unit made 73 motor vehicle stops, did a commercial vehicle safety check and put up speed control signs. **Detective Division Report for September 2011** – Captain Rios reported that the detectives were investigating the 8 burglaries and worked with the Department of Consumer Protection regarding the sale of liquor and alcohol to minors. The Captain noted that their focus was restaurant settings and that three establishments will be facing administrative sanctions – stiff penalties and fines.

**Traffic Safety** – Chief Kehoe reported that a traffic safety issue came up over the weekend – the intersection of Boggs Hill Road and Route 302 was closed and traffic had to be detoured into other areas of Town such as Point of Rocks Road and Head O' Meadow. He noted that residents are seeing increases in traffic on their narrow roads, but there are not a lot of options. The Chief indicated that the intersection is closed due to a culvert that washed out and must be replaced. The process is expected to take six weeks.

#### **UNFINISHED BUSINESS:**

**Discussion and consideration on subcommittee reports of the Strategic Goals and Objectives for the Police Commissions – Crosswalk Safety (Commissioner Walczak and Chairman Giannini)** – Chairman Giannini stated that he hoped everyone had an opportunity to review the Crosswalk Safety Considerations by the Traffic Unit. Chief Kehoe indicated that this was a response to what the Board needed complete with recommendations. Commissioner Walczak asked the Chief what the next step should be and Chief Kehoe indicated that the Board needs to make a motion to accept the recommendations.

Commissioner Walczak moved to accept the recommendations in the later part of the Crosswalk Safety Considerations report dated September 2011. Commissioner Randle seconded and the motion unanimously carried.

Commissioner Randle commended Sgt. Kullgren and Officer Ketchum for an excellent report. Commissioner Walczak brought up the matter of the Pedestrian Activated Crosswalk signals, suggesting that at a cost of \$14,000 or \$15,000 a piece, that the Board move at least one forward to put on Main Street in front of Edmond Town Hall. Chairman Giannini agreed noting that Halloween is coming and the Board should try to get the signals moved up, but questioned whether they would need state approval. Chief Kehoe said yes and indicated that the State would also want elaborate plans. Commissioner Walczak noted that a second one would be in front of the Middle School. The Chief questioned whether they would need to go through the Borough and Commissioner Walczak stated that he would reach out to Jim.

Labor (Commissioner Viadero and Dr. McCabe) – Chief Kehoe reported that last week Commissioner Viadero met with Dr. McCabe and met with the Union regarding the diagnostics of doing a survey. He noted that the end result was that they are setting up three focus groups of volunteers and will conduct a survey within the next 3 months.

#### **NEW BUSINESS:**

**Discussion and action on Taser Policy #3-12** – Chief Kehoe informed the Board that the tasers are a high risk and high liability area for all the departments. Chairman Giannini suggested that the policy represents the latest use and deployment of a taser.

Commissioner Budd moved to accept Taser Policy #3-12. Commissioner Randle seconded and the motion was unanimously approved.

**Discussion and action on Rules and Regulations and the Administrative Services Bureau Policy #1-0**– Chief Kehoe indicated that these changes were approved by the Board. Chairman Giannini asked if there was any change in administrative services and the Chief said fundamentally no, but added that the only thing that changed is the name. Chief Kehoe noted they are eliminating the funds for the Sergeant position, but noted that the position still stays. He stressed that they are not eliminating the position. Commissioner Budd asked if the Administrative Sergeant’s position language changed with the restructuring and Chief Kehoe said he didn’t believe so.

Commissioner Budd made a motion to accept the Rules and Regulations. Commissioner Walczak seconded and the motion unanimously carried.

Commissioner Randle moved to accept the Administrative Services Bureau Policy #1-0. Chairman Giannini seconded and the motion was unanimously approved.

#### **PUBLIC PARTICIPATION:**

Sean Dauber expressed his concerns regarding an incident that occurred a few months ago and wanted to file a citizen’s complaint regarding the actions of one of the members of the department. After hearing what the resident had to say, Chief Kehoe suggested that he return a following day so that Captain Rios could assign him a Sergeant who would initiate a neutral unbiased investigation into the matter.

#### **COMMISSIONER’S PARTICIPATION:**

**Safe Driving Media Campaign** – Commissioner Walczak asked how the Department was doing with the Welcome to Newtown concept and Chief Kehoe indicated that they were still working on a slogan. Captain Rios stated that they will back to the meeting with 10 or 12 slogans.

**Update on Safe Routes to School Grant** – Chairman Giannini indicated that a letter was penned and sent to Planning and Zoning, the Legislative Council, the Board of Selectmen and the Housatonic Valley Council of Elected Officials.

As a final note, Chairman Giannini asked that two letters be attached to the minutes reflecting the Boards position on locating sidewalks on the West side of Queen Street.

**DISCUSSION AND POSSIBLE ACTION UPON STRATEGY AND NEGOTIATION WITH REGARD TO PENDING EMPLOYEE GRIEVANCES:**

Chairman Giannini moved to go into executive session at 9:03 pm for the purpose of discussion and possible action upon strategy and negotiation with regard to pending employee grievances and invited the Chief and Captain to attend. Commissioner Budd seconded and the motion unanimously carried.

At this time the clerk left the meeting.

Ted Swigart, Clerk

3 MAIN STREET  
NEWTOWN, CONNECTICUT 06470  
TEL. (203) 270-4360  
FAX (203) 270-4247



**TOWN OF NEWTOWN**  
BOARD OF POLICE COMMISSIONERS

At 9:45 P. M., the Board left executive session.

**At 9:45P. M. Commissioner Giannini moved to adjourn, seconded by Commissioner Walczak, unanimously passed by the Board.**

Submitted by: \_\_\_\_\_  
**Chief Michael K. Kehoe**

