



TOWN OF NEWTOWN
BOARD OF POLICE COMMISSIONERS

MINUTES FROM THE BOARD OF POLICE COMMISSIONERS
SPECIAL MEETING HELD TUESDAY, SEPTEMBER 12, 2017
TOWN HALL SOUTH
3 MAIN STREET, NEWTOWN

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

PRESENT: Dan Rosenthal, Virgil Procaccini, Andy Sachs, Vice-Chairman Brian Budd, and Chairman Joel Faxon **ABSENT:** none

ALSO PRESENT: Chief James Viadero, Union President Lenny Penna, 5 members of the public, and 1 members of the press

Chairman Faxon called the regular meeting to order at 6:30 pm.

PUBLIC PARTICIPATION: David Lickstein, 89 New Lebbon Road, told Commissioners that he had circulated a petition with regards to their concern about the Town's strategy when determining road safety in Newtown particularly with regards to budgeting and road markings. Pete Sepe, 83 Toddy Hill Road, stated that he wanted to give everyone a big hug. He said he was grateful for the speed truck noting that it really helped. Mr. Sepe added that he was looking forward to hearing about what is going to happen down the road.

POLICE UNION PARTICIPATION: Union President Penna told Police Commissioners that contract negotiations were still ongoing with the Town.

CONSIDERATION AND ACTION ON THE MINUTES: May 2, 2017: Commissioner Sachs made the motion to approve the minutes of the regular meeting July 11, 2017. Commissioner Budd seconded and the motion was unanimously approved.

CHIEF'S REPORT: Moment of Silence – Chief Viadero asked for a moment of silence for Danbury PD Sgt Drew Carlson and for their fellow officers who gave their lives on September 11, 2001. Bank Robbery – The Chief reported that there was recently a robbery of a bank on Queen Street. He added that officers responded and arrested the suspect who happened to be on probation. Commercial Burglaries – Chief Viadero stated that they had arrested an individual in connection with two commercial burglaries that happened in early August. He noted that individual, who lived nearby the businesses, had already confessed to one. Route 25 Accident – The Chief told Commissioners that a serious accident that occurred on Route 25 was handled well when officials from the State DOT came down and cordoned off the area to assist police. He added that subsequently two accidents occurred on Route 84 prompting traffic to be redirected causing more traffic problems. School Opening – Chief Viadero reported that the school opening went off without a hitch. He added that there was an increase in traffic which was to be expected and that there had been a change in armed personnel. SUDS – The Chief stated that they had received the SUDS report for the initiative against underage drinking. He added that the efforts

resulted in juvenile referrals and noted that funding was received from several sources for the initiative. Several Special Events – Chief Viadero informed the Board that the Department had participated in several special events over the last two months including the Labor Day Parade, the car show,, the art festival, a concert, and the Sunday Black Mass in Norwalk. He noted that Sgt Bahamonde had submitted Officer McCarthy’s name for an award at Sunday Black Mass. New Garner Warden – The Chief announced that Warden Dillwood was the now the Warden at Garner Correctional Institution. He said that there were no issues over there. In the Packets – Chief Viadero focused Police Commissioners attention on their packets informing them that they had information regarding pedestrian traffic on Queen Street, Grove Street, and Church Hill Road. He noted that the stanchions that they normally use at the various crosswalks have been nothing more than targets for cars. The Chief said they looked at signs to mark the roads and they are looking at solar powered pedestrian activate signs which when activated are marked by strobing white led lights. Public Work Director Fred Hurley stated that each sign runs about \$10,000 but there is no cost to run it as it is solar charged. Coffee with a Cop – Chief Viadero stated that Coffee with a Cop at the Newtown Deli was a well attended. He added that officers from the Department took turns stopping by the event and talking with the public. PSA – The Chief informed the Board that the Department took part in a Public Service “Back to School” Announcement along with other officers from Fairfield County. New Canine – Chief Viadero reported that training is going well with their new canine and he should be patrol certified in a month or so. He noted that training is being facilitated by Superior Canine. RFQ Funding – The Chief said they received the Request for Qualifications (RFQ) funding for the design of the new police department and will be selecting someone to put designer and rendering together. Crisis Intervention Team Event – Chief Viadero reported that Officer McCarthy attended a Crisis Intervention Team event recently. He stated that after the suicide of the Danbury Sergeant, officers from Newtown went to Danbury PD and stood with the officers until the Mass. Evenings Executive Session – The Chief said that they would be addressing contract negotiations and a disciplinary action in executive session in the meeting that evening. Senator’s Recognition – Chief Viadero announced that Senator Richard Blumenthal had recognized officers in Newtown. The Chief said it was always nice to be recognized. Communications – The Chief stated that they had received several letters and communications including a letter from the Hubbard Family Sanctuary on the Fairfield Hills Campus, the SUDS program press release, document regarding the participation in the ADL event, and a communication for the Above and Beyond Project which will be helping a local child. With regards to the Captain’s Report in the meeting packet, Chairman Faxon asked the Chief why the number of burglaries for this year was substantially lower than the last three years. Chief Viadero stated that it was primarily cyclical but attributed some of it to the education of the public, visibility of officers, and a great deal of luck. Incident on Toddy Hill – Chief Viadero stated that recently there was an incident on Toddy Hill Road where someone attempted to grab girl and knocked her down. The Chief said that 7 units immediately went into the area with the help of a State Police canine. He said they will canvas the area again. Fairfield County Chief’s Meeting – Chief Viadero said he recently attended a Fairfield County Chief’s meeting. He stated that one of the subjects discussed was the increased opiate epidemic and the inherent risk to officers responding to the incidents. The Chief stated that education was important but noted that the DARE Program didn’t exist anymore. He said they were looking at a model of a program that has worked in several PDs and said he is looking at the support of the Superintendent and the Board of Education.

OLD BUSINESS: Toddy Hill Road Traffic Study – Chief Viadero reported that they had a copy of the new data from Toddy Hill Road. He said latest data showed an average of 6700 cars traveling on Toddy Hill Road per day at an average speed of 39.1 mph. The Chief noted that the

posted speed limit is 35 mph and is clearly marked now. Chief Viadero stated that in the August 4, 2017 study they saw an average of 6400 vehicles traveling on Toddy Hill.

He said that now that school had started the volume would increase again.

The Chief said that traffic enforcement at 6 am one morning yielded 2 infractions and 3 warnings out of 235 vehicles that passed. He added that the average radar speed was 38 mph with the 54 mph being the highest recorded speed. Chief Viadero added that the traffic up at the high school has slowed down since they put the traffic trailer up there

Commissioner Rosenthal asked the Chief what the school of thought was on decoy vehicles.

Chief Viadero said they are fighting technology because it was on the app Waves not long after the vehicle was put out. The Chief noted that fixed speed warning lights on telephone poles in certain areas prove very effective.

Mr. Sepe said that the speed signs were aimed perfectly on Toddy Hill. He said that you can hear the trucks slowing down as they come over the hill.

Chief Viadero informed the Board that on Mount Nebo Road the disrepair slowed traffic down but now that it's paved they have had some complaints.

NEW BUSINESS: State Curved Road Markings – Chief Viadero reported that the State identified curved roads that needed signage. He added that the State was doing it again at no cost to the Town.

Street Markings – Public Works Director Fred Hurley stated that there have been a lot of individual efforts. He added that the PD and Public Works have been working together on this. The Director said it's a public safety issue. With regards to striping, he said that policy is that Class A roads are supposed to have double yellow lines. Mr. Hurley noted that no lines would be on roads less than 20 feet wide. He said that the single yellow line was due to money.

The Director said they switched from using latex paint which lasts a year, maybe two, to using an acrylic paint which lasts several years.

Mr. Hurley showed the Board a map with the roads allocated for markings highlighted in yellow and pink. According to the Director, the roads are all connecting roads.

Commissioner Rosenthal suggested that having the money to mark the roads would still be a resource issue. Mr. Hurley stated that when doing capital campaigns they look at sticking money in that capital account for that reason.

Chairman Faxon said they are complying with the manual because presumably they follow a suggested standard. He noted that if a car passes someone on a single striped road no infraction can be issued for passing, but if someone passes someone on a double striped road an infraction can be issued. He felt it was that it was rational to go with single line funding or continuing with past practice.

Commissioner Rosenthal stated that most of the people he had spoken to suggested that even if there was a single solid yellow line you can't pass. He said he has travelled a lot of roads with no lines, spotty lines or single lines and said that he thinks they should prioritize roads before putting new lines down. Mr. Hurley noted that roads haven't been striped because they are going to be paved.

Chairman Faxon suggested that when repairs are set up in the future - paving, curbing, and backfilling - the striping should be included.

Mr. Hurley replied that money would go on Class A roads first.

Commissioner Rosenthal stated that it still comes down to resource allocation. He said he would rather see all roads with single lines than only some with double yellow lines and questioned whether they were making a change that was necessary.

Mr. Lickstein said to Mr. Hurley that he has selected roads to put paint on versus others they don't and asked him how they prioritize.

Mr. Hurley indicated that part of the problem was resources. He noted that they hold off on painting the roads until they are going to pave them. The Director added that given a choice he would do more of them.

Mr. Lickstein asked the Director that for public safety wouldn't he suggest tackling the worst roads first. Mr. Hurley said that for 28 years that's what they have been doing but now they have roads that are without lines.

Commissioner Budd noted that Class A road classifications were through the assistance of the PD. He asked Mr. Hurley when it was updated by the traffic unit last.

Mr. Hurley stated that it was difficult to get cooperation from the State for classifications let alone allocations of money from the state and federal level. He suggested that they were not willing to make changes; and there was a difference of opinion of what the Town says is a Class A road and what the state says is Class A road.

Commissioner Rosenthal suggested that they set a volume level for double yellow lines and all others would be single yellow lines and then they could use the rest of the money for road repairs. Mr. Hurley said they could start that for themselves but it might not change classification by the State and Feds.

Chairman Faxon said that it was high time they took action on assignment of severity of roads. He said they could do a priority map. Chief Viadero said they could do traffic counts easily. Commissioner Budd noted that they still have charges for unsafe conduct even with a single line. Chairman Faxon said he was in favor of starting the effort and suggesting putting something on the next agenda.

Mr. Hurley stated that a current vendor was already lined up and the Class A list was set. He added that two of the roads receiving markings weren't Class A roads and one was Pond Brook. Commissioner Rosenthal said he wasn't comfortable with moving forward with this because they are only double yellow lining part of some roads.

Chairman Faxon asked if any of the roads would be painted before the next meeting and Mr. Hurley said no probably not until November.

Chairman Faxon asked the Public works Director if they could request that the lines not be painted before the next meeting and Mr. Hurley said yes he would be comfortable with that.

Chairman Faxon asked if the Board was good with this and Police Commissioners said yes.

Mr. Lickstein said he agrees with the proposal and suggests that they press pause for a moment to get strategy and consistency. He said it should be meticulously based on use, safety and quality of the roads. Mr. Lickstein informed Police Commissioners that there have been several studies done regarding speeding over passing. He said that the studies found that roads not marked previously showed increase in speed after being marked with lines.

Chairman Faxon said he appreciated everyone's input.

COMMISSIONER'S PARTICIPATION: Chairman Faxon complimented Middle School SRO Officer Chapman on his initiative. He said that Officer Chapman has the students put their phones in their bags when they hang them up at the beginning of the school day so they aren't a distraction. The Chairman said he thinks this should be implemented everywhere.

PUBLIC PARTICIPATION: none

EXECUTIVE SESSION: Commissioner Rosenthal moved the Board go into Executive Session at 7:46 pm under Connecticut Statute 1-200 A 6 B to address strategy and negotiations for collective bargaining. He invited Chief Viadero to attend. Commissioner Budd seconded and the motion was unanimously approved.

At this time the clerk left the meeting.

According to Chairman Faxon, the Board exited Executive Session at 812 pm. Commissioner Sachs moved to adjourn. Commissioner Budd seconded and the motion carried unanimously.

Ted Swigart, Clerk