

EAST WINDSOR POLICE COMMISSION

REGULAR MEETING: September 9, 2020

7:00 p.m.

Held Via ZOOM

Meeting ID: 935-3479-3548

URL: <https://zoom.us/j/93534793548>

1. CALL MEETING TO ORDER AND ATTENDANCE:

Meeting was called to order at 7:00 pm by Chairman Leach. Commissioners Filipone, Long, Burns and Safford were present. Also present were Chief Edward DeMarco Jr. and Deputy Chief Roger Hart. Present in the audience were Selectman Charles Nordell, Mr. Tony Bernardino, Mr. Marc Glass, Mr. Ted Jones, Mr. Tom Lanser, Mr. Pedro Vega, Ms. Patricia West, and candidate for position of Communications & Technology Supervisor.

2. ADDED AGENDA ITEMS:

MOTION made by Commissioner Safford to add Agenda #6B, New Business: Avtech dispatch terminal consoles.

SECONDED by Commissioner Burns

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL THOSE VOTING, VOTE IN FAVOR. MOTION CARRIED.

3. PREVIOUS MEETING MINUTES:

The minutes from the August 12, 2020, regular meeting were reviewed by all commission members.

MOTION made by Commissioner Filipone to accept the regular meeting minutes of 08/12/2020.

SECONDED by Commissioner Safford

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL THOSE VOTING, VOTE IN FAVOR. MOTION CARRIED.

4. BUDGET AND EXPENDITURES:

A) Police Department – Monthly Billing: **MOTION** made by Commissioner Filipone to approve the monthly billing, in the amount of \$15,212.12, as submitted.

DISCUSSION: Commissioner Filipone asked what the charges for All Traffic were for. Deputy Chief Hart explained they were for the two signs that were purchased. The charge includes one year of cloud service for one of the signs and a purchase of another sign with one year of cloud service.

SECONDED by Commissioner Safford

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

B) Police Department – Financial Statement: MOTION made by Commissioner Filipone to approve the monthly financial statements, as of September 7, 2020, for \$3,008,622.46, as submitted.

SECONDED by Commissioner Safford

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

C) Police Commission – Monthly Billing: MOTION made by Commissioner Burns to approve the monthly billing in the total amount of \$125.00.

SECONDED by Commissioner Safford

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

D) Police Commission – Financial Statement: MOTION made by Commissioner Long to accept the Police Commission monthly financial statement dated 08/31/2020 as submitted with a balance of \$1,475.00.

SECONDED by Commissioner Burns

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

MOTION made by Commissioner Safford to go into Executive Session for candidate interview to include Chief DeMarco and Deputy Chief Hart.

SECONDED by Commissioner Burns

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR. MOTION CARRIED.

5. UNFINISHED BUSINESS:

None.

6. NEW BUSINESS:

A) POSITION OF COMMUNICATIONS & TECHNOLOGY SUPERVISOR

MOTION made by Commissioner Safford to make a conditional offer to hire William Freeman for position of Communications & Technology Supervisor contingent upon successful completion of background check and process.

SECONDED by Commissioner Long

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

B) WATCHGUARD CAMERA PROJECT

Chief DeMarco said they had Detective Matt Carl work on the WatchGuard camera project for the past several weeks to come into compliance with legislation that has recently passed. The department needs to be able to record with cruiser cameras, body cameras and in the interview room. They were able to get 45 cameras donated including all the docking stations and hardware which will save approximately \$65,000. Software, licensing, and increased number of cameras will be an additional cost of \$31,765.00, which will come out of the asset forfeiture funds. They will also need \$5,870.00 for the interview room recorder which will also come from asset funds. They will still need \$38,795.00 from the town. Deputy Chief Hart added the police accountability bill will require the police departments to have all marked police patrol vehicles with a camera inside or have a body camera. They want to get all the front-line cars cameras; they already have five cruiser cams, the infrastructure, the server and wireless download. They need six more WatchGuard dash cams for the fleet (to make a total of 11 front-line cars with cameras). Chairman Leach stated the new legislation says all sworn officers must have body worn cameras in addition to the cruiser cams. He went on to say if we waited for the possibility of grant money, we may not get what we need because the 4 million is going to be split between 92 municipal departments and 64 of those are available for the grant. He thinks getting them now and spending the \$38,795.00 is less of a cost to the town. Commissioners Burns and Filipone agree we should get the cameras now. Commissioner Safford asked if the interview room camera was a requirement. Deputy Chief Hart explained it is a requirement for the interview room to have cameras for interviews for felonies. The iRecord they have now is at end of life. A discussion ensued.

MOTION made by Commissioner Safford to authorize Chief DeMarco to request \$38,795.00 for the WatchGuard cameras.

SECONDED by Commissioner Burns

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

C) AVTECH DISPATCH CONSOLES

Deputy Chief Hart explained our radio vendor Marcus Communications contacted him and advised that our current Avtech dispatch consoles (main controls for dispatch which controls the radios, door, etc.) is running on Windows 7 which is no longer supported. They need to sign up for the Avtech maintenance program for the system to continue to work. The cost to update is \$1,500 per console and the department has two consoles. The system is very expensive at approximately \$160,000 so they need to update. The company wants a three-year commitment for maintenance updates at \$3,000 per year. They will need two new

computers, update to current system, install Windows 10, etc., which will be approximately \$12,000 total with everything (includes one year of maintenance fee). A discussion ensued.

MOTION made by Commissioner Filipone to authorize Chief DeMarco to request \$12,000.00 for the Avtech dispatch console equipment and upgrade.

SECONDED by Commissioner Burns

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

7. TRAFFIC AUTHORITY:

A) SIGN/CROSSWALK FOR VOLUNTEER PARK TO OSBORNE FIELD LOT

Chairman Leach stated he received a letter from a resident requesting a sign/crosswalk for Volunteer Park to Osborne Field parking lot. He would like Chief DeMarco and Deputy Chief Hart to study the area and report back what is feasible for the Local Traffic Authority (LTA) to do if it's a safety issue. A discussion ensued. Chief DeMarco said they would look at the area and report back at next meeting. If for some reason they need more time, he will notify Chairman Leach well in advance.

B) SILVERMAN PROJECT

Chairman Leach said in regard to the Silverman Project, the LTA has a very narrow scope of jurisdiction on what they can and can't do. Their jurisdiction lies on traffic safety, signage, and marking. He has seen information on emails and social media about requirements for berms, trees, and sound barriers, but these are all out of the purview of the LTA. Planning and Zoning would be able to give the community better answers to their questions. One of the items Chairman Leach stated was very different from the Sardilli Project to the Silverman Project was the entrance to the Silverman Project from Rt. 5 and they had some concerns over those differences. Chief DeMarco explained one major change in the projects is the amount of trucks the Silverman Project has going through the area on a daily basis. The LTA had several concerns regarding the project including: Widening of Rt. 5 and addition of a right turn lane leading to the entrance of 12 South Main Street, addition of a left turn lane eastbound on South Water Street at the intersection of Rt. 5, a speed study and appropriate signage due to the curve near the proposed site exit where there is a crash history (10 accidents since 2017), and a widening of the proposed truck exit so trucks can make the turn without leaving the paved surface. Chief DeMarco went on to say they received a response back from the contractors and they disagree with the requests and included their reasoning for those four areas of concern. Deputy Chief Hart added the contractors for the Silverman Project are saying the Sardilli Project was approved by OSTA, and therefore they are approved. Chief DeMarco, Deputy Chief Hart, and the Police Commission agree the projects are different and should be handled differently. A discussion ensued. The Police Commission and LTA reject the project and seek a hearing in front of OSTA. Chief DeMarco and Deputy Chief Hart will be happy to represent the town and LTA at the hearing.

There were some questions/comments written in the Chat section of the Zoom meeting:

- What is the timing of lights in the jurisdiction? Chief DeMarco explained that is the purview of the State. Deputy Chief Hart added most of the lights run off of cameras now to help alleviate back-up.

- Question on Rt. 5 traffic study. Chief Demarco said this study (which still has another 5 years to go) doesn't have anything to do with the Silverman Project.
- Are we allowed to send written submissions since not everyone may have time to speak? Chairman Leach said yes, they welcome written correspondence.
- How was this approved with an incomplete traffic study? The omitted the exiting tractor trailer exit on South Water Street. Is the LTA on board with the traffic study? Chairman Leach says they do not concur. The LTA was not involved in this project and just got the information; they weren't even involved in the Sardilli project. All of this project went through Planning and Zoning.
- The proposed plans create more hazard exiting Riverview onto Rt. 5 North since more traffic may back-up at the light and impact sight lines with trucks. Exiting Riverview will be difficult. Chairman Leach does not disagree but doesn't know what the LTA can do to help as its out of their purview.

Chief DeMarco received emails from King Colebeck, Stacy Munseen, Patricia West, Holcut Landing Association, and spoke to Mr. Vega. He forwarded all emails to the Police Commission. Chairman Leach stated the Commissioners are in receipt of them.

MOTION made by Commissioner Filipone to take Public Input before Communications.

SECONDED by Commissioner Burns

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

8. PUBLIC INPUT – Comments and Discussion (5 minutes maximum time per subject)

Mr. Marc Glass of 12C Riverview is concerned about the exit from Riverview to Rt. 5 North. The traffic at the light backs up and he can't get out, then the light changes and he can't get out again because its still backed up. If you put more trucks on that road it will add to this problem and the plans seem to expand to the southerly access a little, but not enough for a middle lane. Can the developer be asked forcefully to expand Rt. 5 South so there would be a place to enter between the North and Southbound lanes?

Mr. Pedro Vega of 257 South Water Street thanks the Chief, Deputy Chief and Police Commission for their time and allowing them to voice their concerns. He understands there are issues with Planning & Zoning, and they don't expect them to fix those. He appreciates that the Commission concurs with their issues and is glad they are taking it to another hearing. He lives 23 feet away from the proposed tractor trailer entrance. That raises a huge concern with Planning & Zoning. They have some regulations that don't seem to be in line with the way the permit is approved, and he will take that up with them. He needs the Commission to understand his concerns about safety for not only himself and his family and property, but other people in the community including the condos on both sides of him. There a lot of people that walk and jog including kids and people that watch the eagles. He does not think South Water Street should have 24/7, 365 days a year tractor trailer trucks exiting. They have requested taller berms, sound proofing, etc. Any help the residents can provide, they are willing as they are being grossly affected. They want the project to be successful but doesn't know why the residents weren't included earlier and their thoughts be considered. He is willing to help in any way and again thanks the Commission.

Mr. Ted Jones of 49 Laurel Circle concurs with Mr. Vega. The tractor trailers running down this quiet residential street at all hours is crazy. There's a lot of joggers and walkers with no sidewalks and nesting bald eagles. They would also create fumes, and noise. He understands this needs to be taken up with Planning & Zoning but offers his help or information he can.

Mr. Tony Bernardino of 257 South Water Street also concurs with Mr. Vega. On a lot of points, he understands the concerns have to go to Planning & Zoning, but since there will be increased traffic and congestion on South Water Street it could interfere with sleep, conversation, getting out of the driveway, and increased noise levels. They propose 90-95 trucks an hour coming out of that exit. There's increased pollution, safety concerns for neighbors walking their dogs. They are asking Planning & Zoning for sidewalks to alleviate that concern. Regarding emergencies, if you call 911 to request police or fire, emergency vehicles may not be able to respond in an appropriate amount of time due to traffic congestion which can endanger the property owners and emergency responders. There are a lot of safety concerns for this project.

Ms. Patricia West thanked the Commission for letting them participate tonight and for sharing her email. Both of the exits that are scheduled are on the sharpest curve of South Water Street in opposite directions, blind to traffic because of the berms and new foliage that will be planted there. Short of putting in traffic lights, there's going to be accidents right in front of her door. She would like the elimination of any exits, other than an emergency exit onto South Water Street. All of her other concerns are addressed in the email she sent. Thank you again for working with us to try to resolve the issues we're going to have with traffic. Chairman Leach said he doesn't know if lighting has been addressed but may be in the plans submitted to Planning & Zoning, but they can take a look at it also.

Mr. Pedro Vega wants to know if there's two different traffic studies. One is specific to the project that was done by Bubaris and that study failed to identify the tractor trailer exit onto South Water Street. It included the exit down by Wagner Lane, the entrance onto Rt. 5, the Pasco's Common road widening, the intersection of Thompson Road, but clearly omitted the exit for tractor trailers that's 23 feet from his doorstep. He doesn't know if that was by mistake or on purpose. Is there another traffic study he doesn't have and can get?

Deputy Chief Hart wanted to clarify the traffic studies for everyone. There are three separate traffic studies:

- The Rt. 5 traffic study (another 5 plus years to go) which is funded through a grant through the Capital Region Council of Governments (not a state study). This study is separate from the Silverman Project.
- The Sardilli Project traffic study which was submitted to OSTA and accepted even though it was only preliminary and never made it to final phase.
- The Silverman Project traffic study which is basically the same as the Sardilli according to Silverman contractors. (The Chief and Deputy Chief disagree with this being the same as Sardilli).

Mr. Ted Jones stated he received an email from First Selectman Bowsza today and that First Selectman Bowsza assured him that there would be no truck traffic and if there was truck traffic to call the town and to have them enforce the no truck traffic. He also he can't imagine anyone wanting to use the park across from Osborne Field with all the truck traffic. Chairman Leach said he can't speak for the First Selectman so he should ask the Select Board or ask First Selectman Bowsza directly.

Mr. Tom Lanser wanted to explain that it's his understanding that the truck traffic leaving the project will be turning left onto South Water Street and there wouldn't be any truck traffic anywhere else on the street. Trucks wouldn't be going down toward the park on South Water Street at all as that would be prohibited and understood by the company.

MOTION made by Commissioner Burns to authorize Chief DeMarco and Deputy Chief Hart to move forward with OTSA hearing and not concur with the traffic study submitted by the Silverman Project.

SECONDED by Commissioner Safford

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

9. COMMUNICATIONS:

None.

10. MONTHLY REPORT

Chief DeMarco stated the East Windsor Historical Society sign request was officially turned down by the DOT. Signs have requirements related to hours they need to be open such as five days a week with set hours to have a sign. They do not fit these guidelines, so it was rejected.

Chief DeMarco stated the CIP is due. They are requesting a delay in submittal so they can meet next month. With the request coming this early, they don't have prices for cruisers or availability of the cruisers this early in the year. They will try to have it ready by October. Chairman Leach accepts his request.

11. EXECUTIVE SESSION:

MOTION made by Commissioner Long to enter into Executive Session at 8:55 pm to include Chief DeMarco and Deputy Chief Hart for discussion on legal issues and security.

SECONDED by Commissioner Safford

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

MOTION made by Commissioner Long to end Executive Session at 9:09 pm
SECONDED by Commissioner Safford

VOTED IN FAVOR: Commissioners Filipone/Long/Safford

ALL IN FAVOR, MOTION CARRIED.

12. ADJOURNMENT:

MOTION made by Commissioner Long to adjourn the meeting at 9:09 pm.

SECONDED by Commissioner Safford

VOTED IN FAVOR: Commissioners Filipone/Long/Burns/Safford

ALL IN FAVOR, MOTION CARRIED.

Respectfully submitted,

Judith Tweedlie - EWPC Recording Secretary