

# **DRAFT**

**STONINGTON BOARD OF POLICE COMMISSIONERS  
REGULAR MEETING  
Thursday, Sept 8, 2016  
5:00 P.M AT THE STONINGTON POLICE HEADQUARTERS**

MEETING MINUTES

Present: Chairman Patrick Moukawsher & Vice Chairman Harry Holt  
Commissioners Henri Gourd, Robert O'Shaughnessy & Raymond Trebisacci  
Chief Darren Stewart & Captain Todd Olson

**1. Call to Order / Pledge of Allegiance**

Chairman Moukawsher called the meeting to order at 5:01 pm.

There were no remarks of visitors.

**2. New Business**

Chief James McPherson Sr., Quiambaug Fire Department

Chief McPherson expressed his concern with a parking issue involving the fire hydrant at 19 Old Stonington Rd. Chief McPherson requests that the curb be painted yellow and possibly install signage. Commissioner Trebisacci asked if the parking issue on Old Stonington Rd. has made any impact of the Fire Department. Chief McPherson has not had a problem getting in or out of the road; however, he noted that he does see a lot of vehicles go past the Fire Department only to have to do a u-turn because there is no outlet to Route 1. He suggested possibly changing the "No Outlet" signs to "Dead End" signs as well as placing them closer to the businesses at the other end of Old Stonington Road.

At this time Chief Stewart recommends painting the curb yellow which will make it easier to enforce. If there are still a lot of violations after it is painted Chief Stewart will bring the issue back to the Police Commissioners to consider signage.

Commissioner Gourd made a motion to authorize Chief Stewart to move forward and paint the curb yellow. Motion seconded by Vice Chairman Holt. Commissioner Trebisacci suggested looking at the parking issue as a whole before making individual motions; however Commissioner O'Shaughnessy commented that the concern with the fire hydrant is a separate issue. All in favor, motion approved.

**a. E-mail Re: Dog Watch BBQ Parking**

Alan Contillo, owner of Mystic Coastal Flooring

Theodore Ladwig, representing David Eck and partners, owners of Dog Watch BBQ

Jason Vincent, Director of Planning, Town of Stonington

RECEIVED FOR RECORD  
STONINGTON, CT  
16 SEP - 9 PM 3:26  
CYNTHIA LADWIG  
TOWN CLERK

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Mr. Contillo informed the Commission about his concerns with parking on Old Stonington Rd. Mr. Contillo allowed Mr. Eck to utilize his parking lot while Dog Watch BBQ was under construction. Due to the success of Dog Watch BBQ, Mr. Eck approached Mr. Contillo to work out an agreement for parking. Mr. Contillo requested his attorney to have a study done to figure out the value of a parking space. The study came back with 50 parking spaces at a cost of \$1500/month. According to Mr. Contillo, Mr. Eck thought that price a little steep since this business has just started. Mr. Contillo suggested \$1000/month for the first year then re-examine the price for the second year. A license agreement was drawn up however never signed. Due to exposure on liability, trash being left in the lot, wear and tear on the lot and an unsigned agreement, Mr. Contillo had to chain off his entrances. People have been parking in front of the chained off entrances even though there is a no parking sign on the chains. The Stonington Police have been called out twice to handle the parking issues in front of the entrance. This is an inconvenience for Mr. Contillo and his tenant who need to access the lot.

Chairman Moukawsher informed Mr. Contillo that the Police Commission will not get involved in the business agreement between Mr. Contillo and Mr. Eck. The Commission is concerned because there have already been two occasions with a call and complaint to the Police Department. Chairman Moukawsher asked Chief Stewart to clarify parking on Old Stonington Rd. Chief Stewart stated that parking in front of a driveway is in violation of state law. The no parking signs that are currently posted on Old Stonington Rd were from the days when Sailor Ed's and then Tongue and Groove were busy and creating parking issues. Today we are seeing the same issue and the old signs may need to be clarified. On both sides of the road from Route 1 to Dog Watch BBQ and Mystic Coastal Flooring there is no parking. Past Dog Watch BBQ, from Holly Wreath Christmas Shop to Quiambaug Fire Department is also no parking. The dirt area across from the Fire Department is town property. From there heading back to the old Sailor Ed's is no parking. There is parking between the entrances to Sailor Ed's and Mystic Coastal Flooring however there is not much room. Maybe a total of six to eight spaces available on Old Stonington Rd. Chief McPherson stated that he would not have a problem removing the no parking sign near the stream (between the town property and the old Sailor Ed's).

Attorney Ladwig, on behalf of Mr. Eck and partners, stated that Mr. Eck is willing to work with Mr. Contillo but has issues with the price from a study that was based on the value of parking 24 hours a day, 360 days a year. Mr. Eck's business may prove to be more seasonal considering the amount of outdoor seating. It is unknown how much parking will be needed in the winter months.

Mr. Vincent stated that there are currently no zoning violations but they will continue to monitor the issue. He hopes the issues will be resolved in the private sector. Mr. Vincent noted that certain seats are exempt from needing parking and gave examples of other restaurants in Mystic with outdoor seating (Bravo Bravo and Anthony J's) that are similar to Dog Watch BBQ.

Vice Chairman Holt asked if there was ever a meeting of the minds between Mr. Contillo and Mr. Eck. Mr. Contillo was under the impression that there was a meeting of the minds because they shook on the negotiation of the revised agreement. Payment in the amount of \$3000 was also made to Mr. Contillo

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by Mr. Eck. Att. Ladwig stated that the payment was a good will payment to Mr. Contillo for previous use of the lot. Att. Ladwig does not believe there was a meeting of the minds because a price was not settled on and an agreement was not signed. There is a need for parking now but Dog Watch BBQ is unsure of the need in the winter months. Mr. Contillo was basing his pricing on the study and believed his renegotiated agreement to be fair.

Commissioner Trebisacci would like to see the issue resolved privately because it has become a public issue with the parking complaint. Commissioner O'Shaughnessy noted that heaters on the patio may push the parking issue well into the fall months. Chairman Moukawsher stated that he would also like to see the issue resolved between the property owners but if the complaints continue the Police Department will enforce the no parking.

Commissioner Trebisacci would like to see comprehensive visuals and a plan from Dog Watch BBQ on how to resolve the parking issue with regard to safety and enforcement. He also noted that a request for more parking has not been brought to the Commission.

Mr. Contillo is open to renegotiations with Mr. Eck. The business is in its infancy and will only continue to grow so signage and enforcement is necessary. Chairman Moukawsher asked Att. Ladwig to provide an update on negotiations at the next Board of Police Commission Meeting.

Commissioner O'Shaughnessy made a motion to table this matter to the next regular meeting pending signage clarification and enforcement. Motion seconded by Commissioner Trebisacci. No discussion, all in favor, motion approved.

## **b. Planning & Zoning Special Use Permit Application: West Vine Street School**

Item tabled to a future meeting. According to Chief Stewart they were not prepared to make a presentation. Chief Stewart wants them to present West Vine and Dean's Mill to the Commission as one item. There are a variety of issues to discuss and Chief Stewart asked the Commissioners if they have any specific questions he can forward them to the architects so they will prepare answers before the designated meeting.

## **3. Old Business**

None

## **4. Traffic**

### **a. Letter Re: Request for School Bus Stop Sign & Hidden Driveway Sign – Wolf Neck Rd, Stonington**

**\*VOTE NEEDED\***

Melanie Fewings, 58 Wolf neck Rd, Stonington

Ms. Fewings addressed the Commission about her concerns with the visibility of her driveway and her child's school bus stop. It is dangerous to pull out of the driveway and she fears that vehicles coming

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over the hill will not be able to stop in time for either foot or vehicle traffic. She would like a "School Bus Stop Ahead" and a "Hidden Driveway" sign installed.

Commissioner Trebisacci made a motion to authorize Chief Stewart to make the necessary arrangements regarding signage and to bring the issue back to the Commission if needed. Motion seconded by Commissioner O'Shaughnessy. No discussion, all in favor, motion approved.

Before leaving, Ms. Fewings asked the Chief his opinion on mirrors. Chief Stewart stated that mirrors cannot be placed on town property or on CL&P poles. It is OK on private property but to be mindful that it is actually on private property and does not create a safety issue, for example blinding drivers if the sun hits it.

## **5. Approval of Minutes for Thursday, August 11, 2016 Regular Meeting \*VOTE NEEDED\***

Commissioner O'Shaughnessy made a motion to approve the minutes for the August 11, 2016 regular meeting as submitted. Motion seconded by Commissioner Gourd. No discussion, all in favor, motion approved.

## **6. Report of the Chief of Police**

### **a. Alarm Report**

### **b. Pawcatuck Statistics**

Statistics are down from last year.

### **c. Budget Report**

The Department is on target with the budget.

### **d. Monthly Report**

Chief Stewart reported that there were 210 medicals, 11 DWI, 4 evading and we are up 80 arrests for the year compared to last year.

### **e. Special Event Schedule**

Mystic Eats kicks off this weekend. There is a camera set up to help monitor the area.

### **f. Regional Radio Report**

Chief Stewart reported that the number of antennas that will have to be installed will depend on other communities plans. For example if Groton installs one, Stonington may not have to put one in that area since we could use the Groton antenna. Stonington may have to install as many as 3 antennas depending on other communities. They cost \$440,000. There is an ongoing effort to get grants. A meeting with the First Selectman and the Board of Finance is necessary. There is already \$375,000 earmarked for this matter and \$425,000 next year. Maintenance costs are based on users so if other communities share the antenna the maintenance costs come down. The Finance Department has been very supportive in this matter. There are a lot of moving parts involved.

### **g. Personnel Update**

A long time crossing guard is leaving. An advertisement for the position has been placed and has seen some interest. The Commission agreed that the Department can handle the hire internally.

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There is a certified officer looking to come on as a reserve officer. Mr. Rogers will be starting at the Academy on October 7. There is another opening at the Academy on December 31 and the Department is in the middle of reviewing backgrounds.

Chief Stewart informed the Commission that an officer was hurt on duty responding to a disturbance call. Chairman Moukawsher, on behalf of the Commission, hopes for a speedy recovery.

Sgt. William Morrison was promoted to Detective Sergeant, replacing Detective Sergeant David Knowles who recently retired. Newly appointed Sergeant Mario Ritacco has moved out of Detectives and into the Sergeant position.

Chief Stewart also informed the Commission that the State wants to resign and mark horizontal curves on Lantern Hill Rd. The Commission gave the approval to waive the public hearing.

Motion made by Commissioner Trebisacci to accept the Report of the Chief of Police. Motion seconded by Commissioner O'Shaughnessy. No discussion. All in favor, motion approved.

## **7. Consent Agenda**

- a. Memo Re: Sgt. Diamanti -30 Year Anniversary**
- b. Memo: Re: Sgt. Ritacco – 15 Year Anniversary**
- c. Letter Re: Easter Seals Walk With Me Mystic**
- d. Comparative Certifications Reminder**
- e. Letter Re: Thank You – Candy McDermott & Mrs. D**
- f. Letter Re: Thank you – Big Y**
- g. Letter Re: Thank You – Donation to K-9 Fund**
- h. Letter Re: Job Well Done – CSO Michaels**
- i. Letter Re: Donation to Animal Control**
- j. Letter Re: Run/Walk for Penguin Event**
- k. Thank You Note: Family of Jack Law**

Commissioner Gourd made a motion to accept the Consent Agenda. Motion seconded by Commissioner Trebisacci. No discussion, all in favor, motion approved.

## **8. Adjourn**

At 6:27 p.m., Commissioner O'Shaughnessy made a motion to adjourn. Motion seconded by Commissioner Trebisacci. All in favor. Meeting adjourned.

Respectfully Submitted,

Patrick J. Moukawsher  
Chairman