

191 S. Main Street
Newtown, CT 06470
TEL (203) 270-4256
FAX (203) 270-4247



Joel Faxon
Brian Budd
Scott Cicciari
Neil Chaudhary

TOWN OF NEWTOWN

BOARD OF POLICE COMMISSIONERS

The Board of Police Commissioners
Special Meeting, Wednesday, August 3, 2022 @ 6:30 P.M.
191 South Main Street, Newtown, CT
Conference Room

MINUTES ARE NOT FINALIZED UNTIL APPROVED BY THE BOARD OF POLICE COMMISSIONERS

Present: Joel Faxon, Brian Budd, Scott Cicciari, Neil Chaudhary

Also Present: Chief Kullgren, five members of the public, Officer McCarthy, and Public Works Director Fred Hurley

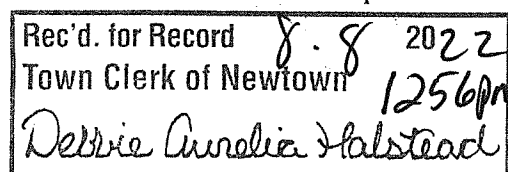
Chairman Faxon called the meeting to order at 6:30 p.m.

Public Participation:

Margaret Jepsen, 16 South Main Street – Ms. Jepsen voiced her frustration with the use of engine compression brakes past her home, specifically the noise that is made when using them. She stated that she notices it on a consistent bases in the overnight hours. Ms. Jepsen sent correspondence to the CDOT about her concerns and received a letter back about the general description of what engine compression brakes are and the CT law that governs them (see attached). Ms. Jepsen request of the Commission is to post signage on her road to warn truck drives that no engine compression braking is allowed in the area. The Commission stated that Main Street is a State road, and they have no jurisdiction to post signs without the State's approval. As far as enforcement, Chief Kullgren added that Newtown does not have an Officer trained to identify engine compression release brakes and their proper working ability, so therefore could not issue an infraction. Commissioner Chaudhary clarified the process to request the signage, which was confirmed by Mitch Bolinsky, State Representative. Commissioner Faxon will draft a letter to send to the CDOT to request a no engine compression brake usage area.

Mitch Bolinsky, 3 Wiley Lane – In addition to Ms. Jepsen's concerns, Mitch Bolinsky added that signage for no engine compression braking signs will be posted on I-84 soon, in the area of the Rochambeau Bridge, which effects the Riverside Road areas of Newtown. He would appreciate the support of the Commission and Police Chief to post these types of signs in any appropriate places needed. Commissioner Cicciari asked Mr. Bolinsky to keep the Commission posted on how else they can help.

Robert Meyers, 10 Mt. Pleasant Road – Mr. Meyers also expressed his frustration with the use of engine compression brakes near his home between the hours of midnight and 3 a.m. Mr. Meyers informed the Commission that he is a truck driver himself, and there should be no reason why trucks would need to use this if they were going the speed limit. Mr. Meyers also supported the request for signage and believes it will help because truck drivers will obey the law to prevent themselves from losing their license. Mr. Meyers has an example of signage from another town that he will text to Commissioner Faxon for possible assistance in his letter of request to the CDOT.



Sattie and Gita Persaud, 8 Mountain Meadow Road – These sisters expressed their concerns with RT 302 and how they feel it is a complete hazard. They are co-owners of the Dodgingtown Deli, also on RT 302, and have had many issues during their travels on this road, including two family members being hurt in two separate crashes. Ms. Gita Persaud stated that she witnesses illegal passing, speeding and aggressive driving while commuting to work each morning at 4:30 a.m. They stated that they have contacted numerous people, like Chief Kullgren, and State Representative Raghbir Allie-Brennan. Ms. Sattie Persaud informed the Commission that the State is going to be putting signs up at the corner of Hattertown Road and RT 302, where Tambasico's Restaurant is by August 12, 2022, but asks for more patrols, speed enforcement and DUI checks. Chairman Faxon did express back that unfortunately DUI checks are federally funded and don't happen as often. Chief Kullgren stated it will go on the "hot list", a list kept within the Department to communicate problem areas. It was also suggested by Commissioner Chaudhary to work with Bethel PD, since they border that side of town, to help curb speeding and be more of a driving force in the area. Commissioner Faxon suggested maybe having less passing ability on RT 302. He wanted to be clear that he was unsure if this was a good idea, but something they could request of the State to look further into, especially since they are paving currently and paint striping. Since time is of the essence, Commissioner Faxon asked Chief Kullgren to reach out to the State to see if they would consider changing the amount of passing locations and also clearer road striping for the Hattertown Rd. intersection. Chief Kullgren also added that he would add the Hattertown Rd. intersection to the "hot list" for monitoring and presence. Commissioner Chaudhary also asked Fred Hurley, Public Works Director to check on the Stop Ahead sign that was going to be placed at Key Rock Rd.

Police Union Participation: Nothing discussed.

Consideration and action on the minutes: Commissioner Budd moved to accept the minutes of the regular meeting of June 7, 2022. Commissioner Cicciari seconded. All in favor. Commissioner Cicciari moved to accept the minutes of the special meeting of July 20, 2022. Commissioner Chaudhary seconded. Commissioner Faxon recused himself because he was not present. All in favor.

Chief's Report: Officer Mulhull and Officer McGowan did a great job locating and providing lifesaving aid to a hiker at the Orchard Hill Nature Preserve. The department provided security and escort services for the Halstead Family and funeral services. Chief Kullgren pointed out the quick response of Police, EMS and Fire to the drowning of a juvenile. Officers performed lifesaving efforts until EMS arrived. With the assistance of all, it took 36 minutes from arrival at the family home to arrival in the Danbury Hospital Emergency Room. The Detective Bureau made a high-profile arrest on a fraudulent home sale by a Massachusetts man. It was a 9-month investigation which resulted in the following charges: Identity Theft 1st, Forgery 2nd, Larceny 1st, Money Laundering 2nd. Newtown's first National Night was last night, August 2, 2022. There was an outpouring of public support and was a great time for EMS, Fire, and Police to interact with the community. Newly promoted Sgt. William Chapman will spearhead the Faith & Blue event. This is a faith-based event to encourage Officer and community interaction. The department reorganization is moving smoothly. The staff and union have been great in all their efforts. Sgt William Chapman was selected as our department's first Community Services Sgt. Sgt. Scott Rusczyk was selected as Admin Sgt, and Ofc Jason Flynn was named Administration Officer.

Fred Hurley was asked to attend tonight's meeting by Chief Kullgren to fill the Commission in on road happenings around town. He reported that Toddy Hill Rd. will have a rumble strip and double yellow center line markings tomorrow night and white fog lines about the same time or soon after. He included that this new striping does not include Botsford Lane. Mr. Hurley also reported that Riverside Road is currently being repaved and will need to be restriped. Bradley Lane, also being repaved, but is not a striped road. Mr. Hurley updated the Commission on other various road striping, rumble striping and paving updates (see attached report)

Commissioner Faxon asked Chief Kullgren about correspondence he received from a resident, questioning the enforcement actions on motor vehicle accidents posted in The Newtown Bee Police Reports. Chief Kullgren understood the concerns of the Commission and stated that he already had Lieutenant Smith looking into the accuracy of this perception. If need be, additional Officer training/communication will occur.

Old Business:

a. Route 302 and Hattertown Update: The State of CT has initiated a priority field directive. A deadline for completion has been set for August 12, 2022.

b. Discussion and Possible Action on Commissioners Regulations: Commissioner Faxon apologized to the Commission, because he did rewrite these regulations, but left them in another vehicle. He will recirculate to the Commission to be voted on later.

c. Department Policy Revisions (updates and delegation of minor changes): Commissioner Faxon moved to delegate to the Chief of Police the authority to make minor policy changes to modernize, make gender neutralization and other non-substantial changes to department policies. Commissioner Chaudhary seconded. All in favor.

Stop Sticks: Commissioner Faxon moved to adopt the proposed changes to P & P 7.12 Stop Sticks. Commissioner Chaudhary seconded. All in favor.

d. Speed Limit Application: Chief Kullgren directed the Commission to the attached report named "Application for the Approval of Speed Limits". He further requested that the Commission review and approve this report, so new or updated speed limit signs could be posted accordingly.

Commissioner Chaudhary moved to approve the Application for Approval of Speed Limits report. Commissioner Cicciari seconded. All approve.

New Business:

Discussion & possible action

a. Police Commissioner Opening and Selection Process: Commissioner Joan Plouffe resigned as of July 31, 2022, because she moved out of town. The Commission has 30-days from her resignation to vote in a new Commissioner. Commissioner Cicciari accepted the lead in posting any appropriate communication to find her replacement. Commissioner Faxon stated that because there is such a short timeline, he is hoping the posting is published in all the appropriate places this week, with a deadline of August 18, 2022, and Special Meeting to vote on August 25, 2022. All Commissioners agreed on the timeline.

b. Route 25 & Button Shop Road, DOT Request to Align North & South Lanes: A request went into CDOT to have these lanes aligned. Chief Kullgren also sent the States Engineer drone footage, which clearly shows numerous cars crossing over the line. Mitch Bolinsky added he will support the change.

c. Request for Alternate Signage on the Flagpole: It was reported that a Town of Newtown resident made this request. Chief Kullgren informed the Commission that a phone call was already made to the CDOT to see if alternative signage is possible.

d. Town Ordinance, Do Not Block the Box: Chief Kullgren reported that to have the Do Not Block the Box approved by the State, the State is requesting a Town Ordinance be created and approved. This is because it intersects with a town road, Country Club Road. Commissioner Cicciari moved to approve the proposed Ordinance Language, as attached, with the addition of "or request such action from the State" directly preceding the word intersection in the first line of the second paragraph. Commissioner Chaudhary seconded. All approve.

Correspondence

a. Phone call and email for speed enforcement: Commissioner Faxon informed the Commission that Pete Sepe emailed him and called him to thank everyone for all they did with regards to the speeding issues on Toddy Hill Road.

Commissioner Participation: Commissioner Cicciari expressed how he would like to do formal send-off for Commissioner Plouffe. Commissioner Chaudhary agreed with these sentiments and wanted to wish Joan well and all the best.

Adjournment: Having no further business the regular meeting of the Board of Police Commissioners adjourned at 8:12 p.m.

Respectfully submitted,
Nicole Kullgren, Clerk



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Office of the
Commissioner An Equal Opportunity Employer

CT Department of Transportation
Customer Care Center
2800 Berlin Turnpike
Newington, CT 06111

July 6, 2022

Ms. Peggy Jepsen

Dear Ms. Jepsen:

"Jake Brake" is a registered trademark of Jacobs Vehicle Systems, Inc. (Jacobs). The term is often used to refer to engine compression release brakes generally, but it actually refers to all of Jacobs' brake retarding products.

Connecticut law requires that trucks, tractors, and truck tractors that have engine compression brakes also have a muffler in good working condition for the devices. Violators face a fine of up to \$500, in addition to any fine that may be imposed for violating the state's vehicle noise limit law (CGS § 14-80h)

In addition to this specific restriction, there are general laws on vehicle exhaust systems and noise emission. Federal and state noise limit laws prohibit the total noise made by a vehicle from exceeding specified noise limits and require that vehicles meet these standards when they are manufactured and when they are sold (49 C.F.R. § 325.7, 40 C.F.R. § 205.52 et seq., CGS § 14-80a). Federal and state law generally prohibit removing or making inoperative any part of the originally installed emissions control system (42 U.S.C.A. § 7522(a)(3); CGS § 14-164c).

We found three legislative proposals since 2010 that address restrictions on engine brakes, summarized in Table 1. All of the proposed bills received a public hearing, but none of them were voted out of the Transportation Committee.

Table 1: Compression Release Engine Brake Legislation Since 2010

Authorizes municipalities to ban

compression release engine brake use and enforce the ban through signs	Public hearing
Authorizes DOT to place "Do Not Engine Brake" signs on certain downhill stretches that are near densely populated neighborhoods where trucks have routinely used these brakes	Public hearing
Authorizes municipalities to ban compression release engine brake use and enforce the ban through signs	Public hearing

Use of engine compression brakes and other brake retarders appears to be primarily regulated at the local level. According to Jacobs, because federal and state regulations on exhaust systems and noise limits are not always aggressively enforced, local communities have responded by adopting ordinances prohibiting the use of these kinds of brakes. For example, Greenwich, CT and Hudson, NY prohibit the act of engine braking at all times, except when the driver reasonably believes that using the brakes is necessary to avoid or mitigate an accident (Greenwich Municipal Code § 660-2, Hudson Municipal Code § 305-4.1).

I hope that this information provides you with the insight that you were seeking during our conversation. Feel free to contact us by phone at (860) 594-2560 or via email at customer.care@ctdot.com if you have any more questions or need any assistance in the future.

Sincerely,

CTDOT Customer Care



4 TURKEY HILL ROAD
NEWTOWN, CONNECTICUT 06470
FAX (203) 426-9968

TOWN OF NEWTOWN

FREDERICK W. HURLEY, JR.
PUBLIC WORKS DIRECTOR
(203) 270-43

PUBLIC WORKS DEPARTMENT

Report to the Police Commission

8/5/22

Centerline Stripping: At the current time all 47 roads officially sanctioned for centerline stripping are done. Two roads (Riverside and Toddy Hill) will be redone this year after extensive paving. Fog lines will be included where appropriate.

The following roads should be considered to be added to our approved list of roads for double centerline stripping: Butterfield/Parmalee Hill, Buttonshop, Bradley, Osborne Hill and Great Quarter. A formal recommendation will be made for the Board's next meeting.

Centerline Rumble Strips: The rumble strip on Toddy Hill will be re-established where paved and then painted over to avoid being mistaken for passing areas.

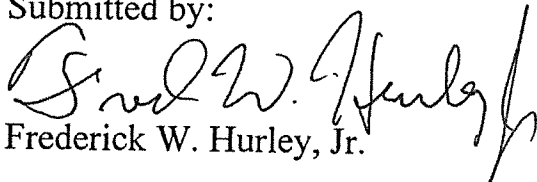
Inquiries have been made regarding the installation of these strips on Hanover, Hattertown and Poverty Hollow. Discussion on this and identifying available funding will need to follow. The cost is approximately \$15,000 per mile.

Stop Bars : There currently are 356 stop bars contracted for painting. More will be done by the in-house crew.

Speed Tables: The speed tables on Key Rock and Queen are all contracted to be repainted.

Guide Rail Projects: There are three (3) guiderail projects engineered for installation/replacement. They are on Brushy Hill (2,763 LF), Bennetts Bridge Road (4,606 LF) and Echo Valley (1,663 LF). Before any of these projects go forward, notification will be made to every adjacent property of the proposed project to avoid surprises and listen to any suggestions. These projects will also be forwarded to the Board for their next meeting.

Submitted by:


Frederick W. Hurley, Jr.