



Town of New Fairfield

Selectmen's Office

4 Brush Hill Road

New Fairfield, Connecticut

BOARD OF SELECTMEN REGULAR MEETING ZOOM MEETING

Join Zoom Meeting

<https://zoom.us/j/99559177884>

Meeting ID: 995 5917 7884

Dial In: (929) 205-6099

Thursday, July 13, 2023

7:30 P.M.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Public Comment & Participation
4. Correspondence & Announcements
5. Approve Minutes of Board of Selectmen Regular Meeting June 22, 2023 and Special Meetings June 26, 2023, June 27, 2023 and June 29, 2023
6. Budget Transfers
7. Approve Tax Refunds Recommended by Tax Collector
8. Personnel Report
9. Appointments

New Business

10. HRRRA Resolution "One Town, One Vote"
11. Consider Draft Sex Offender Ordinance

Executive Session Anticipated

Old Business

12. Red Schoolhouse Property Lease
13. Discuss and Possibly Vote on Economic Development Commission Recommendation for ARPA Small Business Grants
14. Public Comment
15. Discuss and Possibly Appoint Ethics Committee

Executive Session Anticipated

16. Adjournment

Received by email on 07/12/2023 @ 10:03 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield

TOWN OF NEW FAIRFIELD
 REFUND REQUESTS
 TAX COLLECTOR'S OFFICE
 July 13, 2023

	LAST NAME	FIRST NAME	BILL NUMBER	TAX TYPE	S AMOUNT	REASON	DATE SIGNED
1	MOREIRA ELECTRIC		2021-3-58274	03-MV	\$660.24	ADJUSTMENT BY ASSESSOR	7/6/2023
2							
3							
4							
5							
6							
7							
8							
9							
10							
					\$	660.24	

TOWN OF NEW FAIRFIELD
PERSONNEL REPORT
July 13, 2023

	LAST NAME	FIRST NAME	POSITION	LOCATION	PAY RATE	REASON	EFFECTIVE
NEW HIRES:							
1	FIVES	TONI	CIRCULATION CLERK	LIBRARY	\$18.24/HR.	REPLACING K. SABBAGH	7/14/2023
2	LIOTTA	JAZ	LIFEGUARD	TOWN BEACH	\$16.00/HR.	RECREATION	7/14/2023
3	SCHWARZ	GREGORY	PROGRAM COORDINATOR	RECREATION	\$10.00/HR. + COMMISSION	RECREATION	7/14/2023
	CHANGE IN STATUS						
	SEPARATION						

RESOLUTION
TOWN OF New Fairfield

WHEREAS, the Housatonic Resources Recovery Authority (hereinafter referred to as the "Authority") was established and created in July, 1986 for the purpose of being the regional resource recovery authority for such member municipalities which, by concurrent ordinance, adopt the provisions of Connecticut General Statutes Chapter 103b; and

WHEREAS, the Town of New Fairfield (the "Town") adopted the provisions of Connecticut General Statutes Chapter 103b by ordinance dated May 9, 1989 (as amended, the "Concurrent Ordinance"), as more particularly set forth in the Code of the Town of New Fairfield, Connecticut as Chapter 14, Article II, and thereby designated the Authority as the regional resource recovery authority for the Town; and

WHEREAS, the Concurrent Ordinance provides that the Authority shall operate with 100 voting units assigned to member municipalities in proportion to each municipality's share of the total population of all members of the Authority, and, with certain exceptions, all actions by the Authority require the affirmative vote of at least 51% of the total voting units present and voting at a duly called meeting at which a quorum is present; and

WHEREAS, the Authority has determined that the needs of the member municipalities may be better served if each municipality has an equal say in the operation of the Authority, and has recommended that decisions of the Authority be changed to be made on a "one town, one vote" basis; and

WHEREAS, in order to implement a change to the voting structure of the Authority, all of the member municipalities must agree to the same structure.

NOW THEREFORE, BE IT RESOLVED that the Board of Selectmen does hereby support a change in the voting structure of the Authority to a "one town, one vote" basis; and

RESOLVED, that the First Selectman is authorized to work collaboratively with the other member municipalities to propose revisions to the Concurrent Ordinance that would (i) provide for a "one town, one vote" basis for decisions of the Authority; (ii) establish that for routine decisions of the Authority, (A) a quorum consists of greater than fifty percent (50%) of the member municipalities and (B) actions by the Authority require the affirmative vote of greater than fifty percent (50%) of members present and voting, and (iii) a vote of greater than two-thirds (2/3) of member municipalities, without regard to a quorum, be established as necessary for material decisions of the Authority, including modification of the bylaws of the Authority, admission/termination of membership to the Authority, and such other decisions as the member municipalities may agree; and

RESOLVED, that the Concurrent Ordinance shall not be modified until such time as (i) the Board of Selectmen has affirmatively voted on an amendment thereto and (ii) all of the other member municipalities have also adopted a revised concurrent ordinance substantially similar to and consistent with the within resolution.

Location:

MUNICIPALITIES; SEX OFFENDERS;



OLR RESEARCH REPORT

July 31, 2009

2009-R-0277

LOCAL ORDINANCES RESTRICTING SEX OFFENDERS FROM CERTAIN AREAS

By: Sandra Norman-Eady, Chief Attorney

You asked (1) for the number of Connecticut municipalities with ordinances banning sex offenders from certain areas, (2) the legal authority municipalities have used to adopt these ordinances, and (3) whether the ordinances have been challenged.

SUMMARY

Ordinances in five Connecticut municipalities ban convicted sex offenders from many public places frequented by children (so-called "child safety zones"). Danbury adopted the first of these ordinances in 2006, banning sex offenders from city-run recreational areas. Brookfield, New Milford, Ridgefield, and Windsor Locks followed. All of these towns give police the authority to detain and fine violators. Greenwich residents considered but defeated a sex offender ordinance in a June representative town meeting, citing concerns about constitutionality and potential legal challenges from civil liberties groups. The Greenwich board of selectmen will vote on another version of the ordinance at its August 13, 2009 meeting.

Apparently, these municipalities are using the broad police powers granted to them by statute as their authority for adopting ordinances banning sex offenders from certain areas. Generally, courts have upheld ordinances based on this authority if they are reasonably calculated to achieve health, safety, and welfare.

After an electronic search for cases and contacting the American Civil Liberties Union, victim advocate, child advocate, and town attorneys in the towns with sex offender ordinances, we do not believe there have been any legal challenges to these ordinances. However, numerous other states and municipalities have such laws

and ordinances that have been challenged with varying degrees of success. None of these decisions are binding on Connecticut courts.

MUNICIPAL SEX OFFENDER ORDINANCES

Municipal ordinances in Brookfield, Danbury, New Milford, Ridgefield, and Windsor Locks prohibit “child sex offenders” who are required to register in this state from being present in any “child safety zone.” If a police officer reasonably believes a child sex offender is in a child safety zone in violation of the ordinance, the office must ask for identification (i.e., name, address, and telephone number). If the officer's belief is confirmed, he or she must issue the offender a written warning and require him or her to leave the area. An offender who refuses to leave or commits subsequent offenses is subject to a fine for each violation. The fine does not apply if the offender's conduct results in his conviction for a new criminal offense or if his parole or probation is revoked because of it.

Table 1 shows the key components of the sex offender ordinance in each municipality, including available citations.

TABLE 1: MUNICIPAL SEX OFFENDER ORDINANCES

<i>Municipality with Citations</i>	<i>Definition of Child Safety Zone</i>	<i>Definition of Child Sex Offender</i>	<i>Penalty for Violations</i>
Brookfield § 186-1 et seq.	Parks, schools, playgrounds, pools, recreation centers, beaches, sport facilities, sport fields, and the land and buildings upon which they are located	All sex offenders required to register in this state, including those found not guilty by reason of mental disease or defect and convicted out of state. The ordinance does not apply to an offender: 1. whose name has been removed from the Department of Public Safety's Sex Offender Registry or from the registry in another state or in the federal or military system by court order or expiration of the registration term, 2. entering into a polling place in a child safety zone to vote if he or she leaves immediately after voting, or 3. entering a child safety zone to drop off or pick up his or her child if he or she leaves immediately after doing so.	\$250

Table 1: -Continued-

<i>Municipality with Citations</i>	<i>Definition of Child Safety Zone</i>	<i>Definition of Child Sex Offender</i>	<i>Penalty for Violations</i>
------------------------------------	--	---	-------------------------------

Danbury § 12-27	Same as Brookfield	All sex offenders required to register in this state, including those found not guilty by reason of mental disease or defect and convicted out of state. The ordinance does not apply to an offender: 1. whose name has been removed from the Department of Public Safety's Sex Offender Registry or from the registry in another state or in the federal or military system by court order or expiration of the registration term, 2. entering into a polling place in a child safety zone to vote if he or she leaves immediately after voting, or 3. complying with a sentence or order of probation or parole	\$250
Greenwich draft proposed ordinance	Same as Brookfield plus educational facilities and the land and buildings upon which they are located	Same as Brookfield plus offenders complying with a sentence or order of probation or parole or meeting with an adult about their child's medical care or condition or educational program	\$100
New Milford § 26-1 et seq.	Same as Brookfield plus youth gardens, youth farm enterprises, educational facilities, and the land and buildings upon which they are located	Same as Danbury plus offenders who are custodial parents entering a zone to meet with an adult about their child's medical care or condition or educational program	\$100
Ridgefield	Same as Brookfield	Same as Danbury	\$250
Windsor Locks	Same as Brookfield plus libraries and the land and buildings upon which they are located	Same as Danbury	\$99

AUTHORITY FOR MUNICIPAL ORDINANCES

The state Supreme Court has long held that municipalities have no inherent powers (see *Old Colony Gardens, Inc. v. Stamford*, 147 Conn. 60 (1959)). Thus, the only powers municipalities have are those granted to them by the state constitution or state statutes. Municipalities have the authority under state statutes to protect or promote the peace, safety, good government, and welfare of the municipality and its inhabitants, including regulating the use of streets, sidewalks, public places,

and grounds for public and private purposes (CGS § 7-148 (c)(7)(H) (xii) and (xiii)). Municipalities are apparently using this broad police power to ban sex offenders from certain areas.

Any ordinance drafted pursuant to a municipality's police powers granted under CGS 7-148 is facially valid if it relates to safety and general welfare (*Greater New Haven Property Owners Association v. New Haven* (288 Conn. 181 (2008))). The "statutory scheme of § 7-148 envisages its adaption to infinitely variable conditions for the effectuation of the purposes of these statutes" (*Modern Cigarette, Inc. v. Orange*, 256 Conn 105 (2001)). The test for determining whether a municipal ordinance enacted pursuant to CGS § 7-148 is valid in its application is whether it is reasonably calculated to achieve health, safety, and welfare (*Greater New Haven* quoting *Modern Cigarette* 288 Conn. 181, 187).

CHALLENGES TO ORDINANCES PLACING RESTRICTIONS ON SEX OFFENDERS

As of 2006, 22 states and 400 municipalities restrict where sex offenders can live or visit (see OLR Report 2007-R-0380). Most of the restrictions prohibit them from visiting or living in close proximity to places where children congregate. Sex offenders have challenged some of these laws and ordinances on the grounds that they violate provisions in the federal and state constitutions.

Although the U.S. Supreme Court has determined that an imposition of restrictive measures on sex offenders adjudged to be dangerous is a legitimate, nonpunitive governmental objective (*Kansas v. Hendricks*, 521 U.S. 346, state statute required the involuntary civil commitment of sexually violent predators), residency restrictions have been overturned.

For example, the Georgia Supreme Court held that a state law prohibiting convicted sex offenders from living or loitering within 1,000 feet of schools or other common gathering places for children constituted an unconstitutional regulatory taking. It found that the restrictions placed nearly all of the homes in certain counties off limits, amounting to banishment, and subjected offenders who complied with the law to the possibility of being repeatedly uprooted whenever someone opted to open a school, church, or other facility serving children near their home (*Mann v. Georgia Department of Corrections*, 282 Ga. 754 (2007)). The Indiana Supreme Court held that a state law making it a class D felony for sex offenders to live within 1,000 feet of school property, a youth center, or a public park violated the state constitution's ex post facto laws when applied to offenders who purchased their home and committed a sex offense before the law's enactment (*State v. Pollard*, No. 05 S02-0906-CR-305 (6/30/2009)).

Other states have upheld sex offender residency restrictions. For example, the U.S. Court of Appeals upheld an Iowa statute prohibiting certain sex offenders from residing within 2,000 feet of a school or registered child care facility. Plaintiffs argued that the statute violated (1) their rights to due process, travel, and personal choices regarding family; (2) right against self incrimination; and (3) the ex post facto clause of the federal constitution.

The Court held that the:

1. inability of some towns to identify the location of all schools and registered child care facilities did not deprive the plaintiffs of notice in violation of due process;
2. law's failure to provide a process for individual determinations of dangerousness did not constitutionally foreclose a right to be heard in violation of due process;
3. law did not impose any obstacle to a sex offender's entry into Iowa or erect an actual barrier to interstate movement;
4. U.S. Supreme Court has not decided whether there is a fundamental right to intrastate travel;
5. plaintiffs were not persuasive in arguing that the federal constitution establishes a right to live where you want;
6. law does not regulate the family relationship or prevent any family member from residing with a sex offender in a residence that is consistent with the law; thus, there is no liberty interest relating to a matter of marriage and family that requires heightened scrutiny;
7. residency requirement does not compel a sex offender to be a witness against himself or herself; and
8. law established a civil proceeding that was not "so punitive either in its purpose or effect so as to negate the state's nonpunitive intent" (*Doe v. Miller*, 405 F. 3d 700 (8th Cir. 2005) citing *Smith v. Doe*, 538 U.S. 84 (2003)).

SNE:ts

Chapter 10 – OFFENSES AND MISCELLANEOUS PROVISIONS

Sec. 10-6. – Sex Offenders

- (a) *Purpose.* The Town of New Fairfield (the “Town”) has a compelling interest in protecting children from the threat of sexual abuse from child sex offenders. Therefore, it is hereby resolved that, to preserve and promote the health, safety and general welfare of the children of the Town, it is in the common interest to enact reasonable regulations restricting child sex offenders from entering Child Safety Zones.
- (b) *Definitions.* When used in this chapter, the terms, phrases, words and derivations shall have the meanings set forth thereafter. When not inconsistent with the context, words in the plural number include the singular and words in the singular number include the plural. The word “shall” is always mandatory and not merely directory. Terms not defined below shall have the meanings set forth in Section 54-250 of the Connecticut General Statutes, as amended.

CHILD SAFETY ZONE – Any park, school, playground, recreation center, bathing beach, swimming pool or wading pool, gymnasium, sports field, or sports facility, which is: 1) under the jurisdiction of any department, agency, or authority of the Town, including, but not limited to, the Board of Education of the Town of New Fairfield; or 2) leased by the town to another person or entity for the purpose of operating a park, school, playground, recreation center, bathing beach, swimming pool or wading pool, gymnasium, sports field, or sports facility. “Child Safety Zone” also includes any and all buildings, land, parking areas or other improvements located on the same parcel on which each of the aforementioned facilities is located, but does not include any public street, and also does not include any public sidewalk which is located on the outside boundary of a Child Safety Zone.

CHILD SEX OFFENDER-

A. A person who:

- (1) Has been convicted or found not guilty by reason of mental disease or defect of any one or more of the following offenses as defined in Section 54-250 of the Connecticut General Statutes, as amended:
- (a) A “criminal offense against a victim who is a minor”;
 - (b) A “nonviolent sexual offense”;
 - (c) A “sexually violent offense”; or
 - (d) Any felony that the court finds was committed for a “sexual purpose”; and

- (2) Is required to register with the Commissioner of Public Safety pursuant to Section 54-251, 54-252, 54-253 or 54-254 of the Connecticut General Statutes, as amended; or
 - B. A person who has been convicted or found not guilty by reason of mental disease or defect in any other state, in a federal or military court or in any foreign jurisdiction, of any crime, the essential elements of which are substantially the same as any of the crimes specified in Subdivisions (2), (5) and (11) of Section 54-250 of the Connecticut General Statutes, as amended, and which requires registration as a sexual offender in such other state or in the federal or military system, and who resides in this state on and after October 1, 1998.
- (c) *Prohibition.* It shall be unlawful for a child sex offender to be present in a Child Safety Zone.
- (d) *Exclusions.* This chapter shall not apply:
- A. To any person whose name has been removed from the Connecticut Department of Public Safety's Sex Offender Registry ("Sex Offender Registry") or from the registry of any other state or in the federal or military system by act of a court or by expiration of the term such person is required to remain on such registry.
 - B. To any child sex offender who enters into a facility in a Child Safety Zone for the sole purpose of voting in any municipal, state or federal election or referendum, provided that the person leaves the facility immediately after voting.
 - C. To any child sex offender who enters a Child Safety Zone for the purpose of dropping off or picking up his or her own child, provided that the child sex offender leaves the zone immediately after dropping off or picking up his or her child.
 - D. To any child sex offender who enters a Child Safety Zone for the purpose of meeting with an adult, such as a teacher, administrator or nurse, to discuss his or her own child's medical or educational issues, provided that the child sex offender leaves the zone immediately after completing the meeting or discussion.
 - E. To the extent that the conduct prohibited by this chapter is in conflict with any sentence or order of probation or parole imposed upon a sex offender.
- (e) *Notice.*
- A. The Chief of Police or his designee shall make reasonable efforts to provide prompt, actual written notice of the enactment of this chapter (which notice shall contain a copy of the chapter) to all persons who are listed on the Sex Offender Registry as of the effective date of this chapter, as well as those persons who are added to the Sex Offender Registry thereafter, which persons' addresses (as shown

on the Sex Offender Registry) are within the Town. Such notice requirement may be satisfied by mailing of such notice by registered or certified mail, return receipt requested, to the last known address of such person as listed on the Sex Offender Registry or as otherwise known to the Chief of Police. The failure of any person to receive such actual written notice shall not be a defense to a violation of this chapter.

- B. Each Child Safety Zone shall be identified by a sign conspicuously posted at the primary entrance to the zone and any building within the zone.

(f) *Enforcement, penalties for offenses.*

- A. If a police officer reasonably believes that a child sex offender is in a Child Safety Zone in violation of this chapter, the officer shall require the suspected child sex offender to provide his/her name, address, and telephone number. If it is established that the individual is a child sex offender, then the officer may issue a citation to the offender and shall require the offender to leave the Child Safety Zone.
- B. Any person in violation of this chapter shall be fined in the amount of \$250 for each violation.

(g) *Severability.* Any provision of this chapter held to be unconstitutional or superseded by state law or regulation shall not serve to invalidate the remaining unaffected provisions hereof. No provision of this chapter shall serve to validate any activity otherwise prohibited by state or local law or lawfully enacted zoning regulations.



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone: (860) 594-2383

July 11, 2023

Patricia Del Monaco
First Selectman
Town of New Fairfield
Town Hall, 4 Brush Hill Road
New Fairfield, Connecticut 06812

Dear First Selectman Del Monaco:

Subject: Lease of State Land – New Fairfield
State Land – Route 39
File No. 090-000-043

On June 30, 2008, the Town of New Fairfield (“Second Party”) and the Connecticut Department of Transportation (“Department”) entered into a Lease Agreement for a parcel of State Land on the southeasterly side of State Route 39. The second and final renewal option term of the subject Lease Agreement (“Agreement”) expired on June 30, 2023.

Enclosed are two copies of the proposed successive Lease Agreement (“Agreement”) to be signed before two witnesses, notarized, and returned to this office no later than July 31, 2023. Please return both copies of the Agreement, as photocopies are not acceptable, and send to my attention at the above address.

The Department requires that the Second Party must remit an administrative fee of \$500.00 to cover the costs associated with processing the lease of State land. Please be advised, the fee is non-refundable. The payment should be in the form of a bank check made payable to “Treasurer, State of Connecticut” and sent to my attention.

In addition to submitting the signed Lease Agreement and the administrative fee, the Second Party must also provide an updated Certificate of Insurance (ACORD Form) with an original signature in accordance with Item 7, Page 4 of the Standard Highway Lease Specifications & Covenants. The effective date of the insurance must be on or before the date that the Agreement commences.

After receiving all the documents set forth above, the Department of Transportation will sign both copies of the Agreement and, pursuant to Sections 13a-80a and 13a-80 of the Connecticut General Statutes, as revised, will submit the Agreement to the Office of Policy and Management and the Office of the Attorney General for final approval. After the necessary approvals are received, this office will send one of the original copies of the executed Lease to your attention.

If you have any questions, please contact me via email kyle.borbas@ct.gov or by office phone at (860) 594-2383.

Very truly yours,

Borbas, Kyle T.

Digital signed by Borbas, Kyle T.
DN: cn=Kyle.Borbas@ct.gov, ou=Borbas, Kyle
T, ou=Floor 4, ou=Human Resources
to=HR@state.ct.gov, c=US, o=CONNECTICUT
Date: 2023.07.11 09:54:26-0400

Kyle Borbas
Connecticut Careers Trainee
Property Management Section
Division of Rights of Way

Sec. 2-262. Enforcement.

- (a) Enforcement of this Code rests with the board of selectmen. The board of selectmen shall receive complaints of violation of this Code. Any person who wishes to file a complaint against any official or employee shall do so in writing, on forms to be made available at the selectmen's office and the town clerk's office, and shall sign and date such complaint. The complaint shall contain a simple statement of the facts claimed to be a violation of this Code and, if known, the name, address and title or position of the employee or official. Complaints shall be submitted at the selectmen's office.
- (b) The person filing such a complaint shall be referred to as the "complainant," and the official or employee alleged to have committed a violation of this code shall be referred to as the "respondent."
- (c) When a complaint is received by the selectmen's office, the date and time of receipt shall be noted in writing on the complaint. Within five (5) days of receipt of the complaint, the selectmen's office shall notify the respondent of the filing of the complaint and shall send him a copy of such complaint. Within fifteen (15) days of receipt of the complaint, the board of selectmen shall appoint a committee of three (3) registered voters of the town. No more than two (2) of the committee shall be from the same political party. None of the committee members can be members of the board of selectmen. The complaint shall then be referred to the committee. The committee shall convene itself within ten (10) days of appointment and determine if there is probable cause to believe that the respondent has violated the Code of Ethics. "Probable cause" means more than mere suspicion. There must be facts and circumstances, and trustworthy information sufficient to justify the belief of a reasonable person that a violation of the Code of Ethics has occurred. Prior to a finding of probable cause, the complainant shall not disclose the existence or contents of the complaint to any third party and the complaint and the record of any investigation by the committee shall be confidential, unless the respondent requests that such complaint or record be made public. Prior to a finding of probable cause, any investigation, meeting or hearing held by the committee shall not be open to the public, unless the respondent requests that such investigation, meeting or hearing be held in public. By filing a complaint, the complainant shall be bound by the confidentiality requirements of this section and of section 1-82a of the Connecticut General Statutes. Prior to a determination of probable cause, no member of the committee shall disclose his or her knowledge of such complaint or of any investigation by the committee to a third party, except to the extent necessary to conduct the investigation. Prior to any finding of probable cause, the respondent shall have the right to appear before and to be heard by the committee and to offer any information by way of answer or denial of the allegations.

If the committee determines that probable cause does not exist, the committee shall dismiss the complaint. The committee shall provide written notice of its actions and the reasons for its actions to the complainant and the respondent and the complaint and the record of any investigation shall not be disclosed by the complainant, any witness or any committee or staff member and shall remain confidential, unless the respondent requests that such complaint or record be made public.

If the committee determines that probable cause does exist, then the committee shall, within five (5) business days after any such finding make the entire record of the investigation available to the public and shall thereafter hold a public hearing wherein the complainant and the respondent are allowed to be heard. At the hearing, the respondent shall be allowed to have an attorney represent him. The respondent shall be afforded the opportunity to cross examine any witnesses in support of the complaint and shall have a right to present evidence and witnesses in his behalf. The committee, with the administrative support of the selectmen's office, shall give written notice of the date, place and time of the hearing at least five (5) days prior to the hearing to the complainant and the respondent by first class mail. Upon completion of the investigation, the committee shall issue short written findings and shall either (a) dismiss the complaint or, (b) having found a violation, shall levy punishment in accordance with section 2-263, as it deems appropriate, which punishment shall in any event include public censure. The committee shall complete its investigation and hearing and shall make its decision

within thirty (30) days of its appointment. The committee shall send by first class mail a copy of its decision to the complainant and to the respondent and shall make its decision public.

- (d) The respondent may appeal the decision of the committee to the board of selectmen, within fifteen (15) days of mailing notice of the decision of the committee, by giving written notice of the appeal to the board of selectmen. Upon receipt of such notice of appeal, the board of selectmen shall review the proceedings of the investigation conducted by the committee and, if desired, may listen to the tapes of the meetings and the hearing(s) of the committee. The board of selectmen shall, within fifteen (15) days of receipt of the notice of appeal, either grant the appeal or dismiss the appeal. Within five (5) days of making its decision, the board of selectmen shall give written notice of its decision and the reasons for its decision to the complainant and the respondent. Notice shall be by first class mail, and the decision shall be made public. If the board of selectmen grants the appeal, then it shall dismiss the complaint. If the board of selectmen denies the appeal, the decision of the committee shall stand.

(Ord. of 11-19-90(3), § 14; Ord. of 8-25-16(1))