



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/96834469712>

Meeting ID: 968 3446 9712

Dial In: (929) 205-6099

Thursday, July 27, 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 July 13, 2023
6. Budget Transfers
7. Approve Tax Refunds Recommended by Tax Collector
8. Personnel Report
9. Appointments

New Business

10. Housing Opportunities Committee Report
11. Consider and Possibly Vote on Draft Sex Offender Ordinance
12. Discuss and Possibly Vote on Changes to LOSAP

Old Business

13. Discuss and Possibly Vote on Economic Development Commission Recommendation for ARPA Small Business Grants
14. Public Comment
15. Adjournment

Received by email on 07/26/2023 @ 1:50 p.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield

TOWN OF NEW FAIRFIELD
 REFUND REQUESTS
 TAX COLLECTOR'S OFFICE
 July 27, 2023

	LAST NAME	FIRST NAME	BILL NUMBER	TAX TYPE	\$ AMOUNT	REASON	DATE SIGNED
1	VILLANI	MADLINE	2022-3-62324	03-MV	\$9.29	ADJUSTMENT BY ASSESSOR	7/21/2023
2	CCAP AUTO LEASE		2020-3-51779 & 21-3-51780	03-MV	\$517.50	ADJUSTMENT BY ASSESSOR	7/13/2023
3							
4							
5							
6							
7							
8							
9							
10							
					\$	526.79	

TOWN OF NEW FAIRFIELD
PERSONNEL REPORT
July 27, 2023

	LAST NAME	FIRST NAME	POSITION	LOCATION	PAY RATE	REASON	EFFECTIVE
NEW HIRES:							
1	HANSON	ALICE	LIFEGUARD	TOWN BEACH	\$16.00/HR.	RECREATION	7/27/2023
CHANGE IN STATUS							
SEPARATION							

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, sports facility, or **library**, 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.

Length of Service Award Program (LOSAP) Payment for Disability – Procedure

Per the Plan Document – Section 4.02:

Service Award - Payment for Disability

In the event that any Participant becomes disabled, and in the event that the disability prevents the Participant from pursuing his normal occupation, and if the disability is total and of a permanent nature as certified by the Worker's Compensation Board or other competent authority as approved by the Sponsor, the Participant is entitled to receive the Service Award credited to him under this Program as of the date of such disability. Such benefits shall begin on the first day of the second month following the date of certification of such disability by the Worker's Compensation Board or other competent authority.

Proposed Procedure / Requirements for Certifying that the individual is disabled as defined in Section 4.02 above and qualifies for Service Award Payment(s):

1. Individual or his/her representative must provide a copy of an official letter from the Social Security Administration or other government agency certifying the individual is disabled.
2. Confirmation from the New Fairfield Fire Department Program Administrator for LOSAP that the individual is no longer able to perform his/her duties due to the disability.
3. Upon receipt of the above items, approval of the Board of Selectman in an executive session that the individual is no longer able to perform his/her duties due to the disability and is therefore eligible to receive Service Award Payment(s). Decision must be documented in a letter signed by the First Selectman.

Upon receipt of the above documentation, the Director of Finance (or his/her representative) will provide the letter signed by the First Selectman to the Plan Administrator for processing.