



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/98884445583>

Meeting ID: 988 8444 5583

Dial In: (929) 205-6099

Thursday, August 24, 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 27, 2023 and Special Meeting August 17, 2023
6. Budget Transfers
7. Approve Tax Refunds Recommended by Tax Collector
8. Personnel Report
9. Appointments

New Business

10. Bond Release for New Fairfield Medical, 130 Route 37
11. Consider and Possibly Vote on Draft Sex Offender Ordinance
12. Discuss and Possibly Vote to Set Date for Town Meeting to Consider and Act Upon the Sex Offender Ordinance

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 8/23/2023 @ 1:10 p.m.
By Tricia Quinn, Asst. Town Clerk, New Fairfield

TOWN OF NEW FAIRFIELD
 REFUND REQUESTS
 TAX COLLECTOR'S OFFICE
 August 24, 2023

	LAST NAME	FIRST NAME	BILL NUMBER	TAX TYPE	S AMOUNT	REASON	DATE SIGNED
1	ACAR LEASING		2022 MV - SEVERAL	MV	\$ 1,727.46	ADJ BY ASSESSOR	8/17/2023
2	CHEH	KEITH & PATRICIA	2022-3-51947	MV	\$ 70.02	ADJ BY ASSESSOR	7/26/2023
3	C. U. LEASING CORP		2022-3-51414	MV	\$ 565.26	ADJ BY ASSESSOR	8/7/2023
4	CURTIN	MICHAEL & GRACE	2022-3-52536	MV	\$ 41.61	ADJ BY ASSESSOR	8/8/2023
5	FRANCISCO	ROBERT	2022-3-53999	MV	\$ 123.19	ADJ BY ASSESSOR	7/31/2023
6	GREEN	JEAN W	2022-3-54639	MV	\$ 31.13	ADJ BY ASSESSOR	8/1/2023
7	KAPNER	CORY J	2022-3-56048	MV	\$ 786.12	ADJ BY ASSESSOR	8/7/2023
8	KESIN	MAXIM	2021-1-2955	RE	\$ 2,925.55	DUPLICATE PAYMENT	8/9/2023
9	HANCOCK	ROBERT	2022-3-54827	MV	\$ 2.02	ADJ BY ASSESSOR	8/12/2023
10	MELILLO	ROBERT	2022-3-57984	MV	\$ 112.54	ADJ BY ASSESSOR	8/2/2023
11	MORGAN	JACQUELINE	2021-3-58287	MV	\$ 146.32	ADJ BY ASSESSOR	8/21/2023
12	OLYHA	STEPHEN	2020 & 2021 SEVERAL	MV	\$ 2,453.39	ADJ BY ASSESSOR	8/10/2023
13	RUPPERT	ROMANITA	2022-3-60373 & 60376	MV	\$ 59.63	ADJ BY ASSESSOR	8/3/2023
14	RYAN	MARY, EXECUTRIX	2022-3-60431	MV	\$ 222.94	ADJ BY ASSESSOR	7/29/2023
15	SAVITS	CHRISTOPHER	2022-3-60632	MV	\$ 6.59	ADJ BY ASSESSOR	8/3/2023
16	VW CREDIT LEASING		2022-3-62372	MV	\$ 646.83	ADJ BY ASSESSOR	8/21/2023
17	ORTIZ	MAUREEN & ANGEL	2022-3-59057	MV	\$ 66.54	OVERPAYMENT	8/22/2023
					\$ 9,987.14		

**TOWN OF NEW FAIRFIELD
PERSONNEL REPORT
August 24, 2023**

	LAST NAME	FIRST NAME	POSITION	LOCATION	PAY RATE	REASON	EFFECTIVE
NEW HIRES:							
1	HOPKINSON	CYNTHIA	PROGRAM INSTRUCTOR	RECREATION	\$10/HR + COMMISSION	RECREATION	8/25/2023
2	REES	MATTHEW	PT DISPATCHER	COMMUNICATIONS	\$25.00/HR.		8/25/2023
CHANGE IN STATUS							
3	ALVITI	JEFFREY	PROGRAM INSTRUCTOR	RECREATION	\$10/HR + COMMISSION	RECREATION	8/25/2023
4	PETERSON	THOMAS	PROGRAM INSTRUCTOR	RECREATION	\$10/HR + COMMISSION	RECREATION	8/25/2023
SEPARATION							

Zoning Commission
Town of New Fairfield
4 Brush Hill Road, New Fairfield, CT 06812



August 22, 2023

Board of Selectman
Town of New Fairfield
4 Brush Hill Road
New Fairfield, CT 06812

RE: Bond Release for New Fairfield Medical LLC, 130 Route 37. Applicant New Fairfield Medical LLC

Dear First Selectman Del Monaco:

Please be advised at the regular meeting held by the Zoning Commission of the Town of New Fairfield a positive referral was made to unanimously recommend a Final Release of Original Bond, New Fairfield Medical LLC, 130 Route 37. Applicant New Fairfield Medical LLC. This referral was made based upon recommendation of the town engineer, Antonio Iadarola.

Sincerely,

Kevin VanVlack
Zoning Commission Vice Chairperson
Town of New Fairfield

Enclosure

New Fairfield Medical Letter from Antonio Iadarola

Received by email on 8/23/2023 @ 8:30 a.m.
by: Holly Z. Smith, Town Clerk, New Fairfield



TOWN OF NEW FAIRFIELD
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
4 Brush Hill Road
New Fairfield, CT
06812-2619

TOWN ENGINEER
Antonio Iadarola, P.E.

Sent Via Email

July 16, 2023

New Fairfield Zoning Commission
C/O Evan White ZEO
4 Brush Hill Rd.
New Fairfield, CT
06812

RE: Final Release of Original Bond
New Fairfield Medical, LLC
130 RT 37
New Fairfield, CT

Dear Mr. Chairman and Commission Members:

I have completed a review of the file on this project and performed the final inspection of the site as best as I could with limited access to some of the site features installed. I also just recently reviewed the newly revised as-built which I have determined to be complete now.

Please allow this letter to officially inform you that I can now recommend that the balance of the original bond (\$6,750) can now be released, and the project can be closed out.

As a quick recap of this project, additional bonding had to be secured due to the fact that the developer constructed a large diameter rubble wall (which are not allowed) and this wall was constructed within the 100-year flood limits, all with no knowledge of the Town. I discovered this issue while I was at the site doing an inspection on an unrelated work item. The wall had to be removed and a new concrete retaining wall was designed and then constructed under the watchful eyes of the design engineer and myself in a location that did not compromise the flood storage volumes. A separate second bond was required in addition to the then existing bond to cover this work and insure that it was done correctly. That work was completed and to the satisfaction of this office. The remaining balance of that original bond is noted above.

Should you agree with my recommendation and vote to release this balance, please send a letter to the First Selectman so she can act to make that final release

If you have any questions, do not hesitate to contact me.

If you have any questions, please contact me on my cell [REDACTED] or via email tonyiada@aol.com.

Thank You,

Tony Iadarola

Tony Iadarola, P.E.
Town Engineer

CC: Pat Del Monaco, First Selectmen
Evan White, ZEO
Tim Simpkins, Wetlands Enforcement Officer

BUILDING & GROUNDS DIVISION ♦ ENGINEERING ♦ HIGHWAY DIVISION ♦ RECYCLING DIVISION ♦ VEHICLE
MAINTENANCE
OFFICE LOCATION: TOWN GARAGE 188 ROUTE 37, NEW FAIRFIELD, CONNECTICUT 06812
PHONE: (203) 312-5628 ♦ FAX: (203) 312-5678

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 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 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.

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”;

- (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 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 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 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 sex offender leaves the zone immediately after dropping off or picking up his or her child.
 - D. To any 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 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 First Selectman acting as Chief of Police or the Resident State Trooper, or his/her 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 First Selectman acting as Chief of Police or the Resident State Trooper or his/her designee. 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. The Town of New Fairfield will prepare and make available a document listing each Child Safety Zone.

(f) *Enforcement, penalties for offenses.*

- A. If a police officer reasonably believes that a sex offender is in a Child Safety Zone in violation of this chapter, the officer shall require the suspected sex offender to provide his/her name, address, and telephone number. If it is established that the individual is a 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, or the maximum amount permitted by law.

(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.



Town of New Fairfield
Selectmen's Office
4 Brush Hill Road
New Fairfield, Connecticut

WARNING!

**SPECIAL TOWN MEETING
TOWN OF NEW FAIRFIELD**

Notice is hereby given to the electors of the Town of New Fairfield and those entitled to vote at Town Meetings that a Town Meeting will be held on Thursday, September 14, 2023 at 7:00 P.M. at the Senior Center Community Room at 33 Route 37 for the following purpose to wit:

1. To consider and take action upon the adoption of a Sex Offender Ordinance defining reasonable regulations restricting child sex offenders from entering Child Safety Zones within the Town of New Fairfield.

The full text of the proposed Ordinance is on file and available for public inspection in the Office of the Selectmen.

Dated at New Fairfield, Connecticut this 24th day of August 2023

Patricia Del Monaco
First Selectman

Khris Hall
Selectman

Lori-Ann Beninson
Selectman