



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/99625990314>

Meeting ID: 996 2599 0314

Dial In: (929) 205-6099

**Thursday, February 11, 2021
7:30 P.M.**

AGENDA-REVISED

1. Call to Order
2. Pledge of Allegiance
3. Public Comment & Participation
4. Correspondence & Announcements
5. Approve Minutes of Board of Selectmen Regular Meeting January 28, 2021
6. Budget Transfers
7. Personnel Report
8. Appointments

Old Business

9. COVID-19 Update/Vaccine Update
10. Noise Ordinance

New Business

11. Discuss and possibly vote to approve Small Cities Loan Pay Off-5 Fulton Drive
12. New Fairfield Tax Abatement Committee
13. Discuss and possibly vote to approve BOS 2021/2022 Budget
14. Public Comment
15. Discuss 13 and 15 Route 37

Executive Session Anticipated

16. Adjournment

Received by Email on 2/10/2021 @ 1:53 pm
by Pamela J. Dohan, Town Clerk, New Fairfield

TOWN OF NEW FAIRFIELD
 PERSONNEL REPORT
 February 11, 2021

LAST NAME	FIRST NAME	POSITION	LOCATION	PAY RATE	REASON	EFFECTIVE
NEW HIRES:						
CHANGE IN STATUS						
1	PADOVANI	SHANLEY	WATERFRONT DIRECTOR SUB	TOWN BEACH		
				\$21.75/HR.	RECREATION	5/14/2021
SEPARATION						
2	KLOOS	SUZANNE	RECORDING SECRETARY	ZONING COMMISSION	VOLUNTARY RESIGNATION	1/29/2021
3	MORENO	JOHN	POLICE OFFICER	POLICE DEPARTEMENT	RETIREMENT	3/4/2021

§ XX-1

Purpose.

It is the intention of this chapter to carry out and effectuate the public policy of the State of Connecticut, the federal government and the Town of New Fairfield concerning the regulation of those activities causing excessive noise and noise disturbance within the Town of New Fairfield. It is recognized that excessive noise is a serious hazard to the health, welfare and quality of life of all citizens and that each person has a right to an environment free from noise that may jeopardize their health, safety or welfare.

§ XX-2

Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter.

ALL-TERRAIN VEHICLE. A self-propelled vehicle designed to travel over unimproved terrain that has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways and is not eligible for registration under Connecticut General Statutes, Chapter 246.

DAYTIME HOURS. Hours between 7:30 a.m. and 7:30 p.m., Monday through Saturday, and the hours between 10:00 a.m. and 7:30 p.m. on Sundays and holidays.

EMERGENCY. Any occurrence involving actual or imminent danger to persons or damage to property which demands immediate action.

INTRUSION ALARM. A device with an audible signal which, when activated, indicates intrusion by an unauthorized person. Such alarm may be attached to, or within, a building, structure, property or vehicle.

MOTOR VEHICLE. Shall be given that meaning which is provided for by Connecticut General Statutes, § 14-1(a)(47).

MOTORBOAT. Shall be given that meaning which is provided for by Connecticut General Statutes, SS15-127.

NIGHTTIME HOURS. The hours between 7:30 p.m. and 7:30 a.m., Sunday evening through Saturday morning, except that "nighttime hours" shall mean the hours between 7:30 p.m. Saturday and 10:00 a.m. on Sunday and 7:30 p.m. of the day preceding a recognized national holiday and 10:00 a.m. on said holiday.

PERSON. Any individual, firm, partnership, association, syndicate, company, trust, corporation, municipality, agency or political or administrative subdivision of the State or other legal entity of any kind.

PLAINLY AUDIBLE. Any sound that can be detected by a person using his or her unaided hearing faculties. For example, but not limited to, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the enforcement officer need not determine the title of a song, specific words, or the artist performing the song. The detection of the rhythmic base component of the music is sufficient to constitute a plainly audible sound.

PREMISES. Any building, structure, land or portion thereof, including all appurtenances, and shall include yards, lots, courts, inner yards and real properties without buildings or improvements owned or controlled by a person.

PROPERTY LINE. That real or imaginary line along the ground surface and its vertical extension which separates real property owned or controlled by any person from contiguous real property owned or controlled by another person, and separates real property from the public right-of-way.

PROPERTY MAINTENANCE EQUIPMENT. All powered or manually operated tools and equipment used in the repair and upkeep of property, including, but not limited to, lawn mowers, riding tractors, wood chippers, power saws, and leaf blowers.

SOUND. A transmission of energy through solid, liquid or gaseous media in the form of vibrations which constitute alterations in pressure or position of the particles in the medium and which, in air, evoke physiological sensations, including, but not limited to, an auditory response when impinging on the ear.

SOUND REPRODUCTIVE DEVICES. May include but is not limited to speakers, megaphones, horns, or other device that broadcasts and magnifies sound.

VESSEL. Shall be given that meaning which is provided for by Connecticut General Statutes, SS15-127.

XX-3 Prohibited Activities and Noise Levels.

A.

Standards. No person shall make, continue and/or permit on property owned and/or controlled by such person any excessive, unnecessary, unreasonably loud noise or disturbance, or any noise or disturbance which disturbs, destroys, or endangers the comfort, quiet, repose, health, peace, or safety of others within the vicinity of the noise or disturbance. Without limitations, the commission of one or more of the following acts shall be deemed a violation of this chapter.

B. Motor vehicle noise in excess of state limits. All motor vehicles and motorcycles operating within the limits of the Town of New Fairfield on public highways, streets, drives, boulevards, lanes and avenues and private highways, including streets, drives, boulevards, lanes and avenues generally open to the public, shall be subject to the noise standards and decibel levels as set forth in the regulations of the State of Connecticut Department of Motor Vehicles, § 14-80a, entitled "Maximum Permissible Noise Levels For Vehicles."

C. Off-road motorcycle noise in excess of EPA limits. No person shall transport or operate an off-road motorcycle manufactured after December 31, 1985, not equipped with an exhaust muffler bearing the federal EPA required labeling applicable to the motorcycle's model year, stating that the exhaust system meets the 82 dBA standard at 50 feet, as set out in Code of Federal Regulations Title 40, Volume 24, Part 205, Subpart D and Subpart E.

D. Noise from all-terrain vehicle that it is plainly audible at a distance of 500 feet or more in any direction from the vehicle.

E. Noise from Sound Reproductive Devices on or in a motor vehicle or a motor boat that are plainly audible at 100 feet. No sound reproductive devices on or within a motor vehicle or

motor boat shall be operated in such a manner that it is plainly audible at a distance of 100 feet or more in any direction from the vehicle or boat.

F. Noise from personal Sound Reproductive Devices, whether on land or on a waterbody within the jurisdiction of New Fairfield, that are plainly audible at 100 feet. Personal sound reproduction equipment shall not be operated in such a manner that it is plainly audible at a distance of 100 feet or more in any direction from the operator.

G. Construction noise during nighttime hours. No person, firm, corporation or other entity shall operate or permit the operation of electric or fuel-powered equipment, including but not limited to pile drivers, backhoes, pneumatic hammers, derricks, trucks of more than 10,000 pounds gross vehicle weight (GVW) on a construction site and hoists required for construction, repair of demolition work during nighttime hours.

H. Property maintenance during nighttime hours. No person shall cause construction or maintenance noise that is plainly audible at 100 feet or more during nighttime hours.

I. Frequent or continued noise from any animal, bird, or fowl that is plainly audible for more than 15 minutes at a time within 500 feet of its owner's property line.

§ XX-4

Exclusions. Maximum noise levels established pursuant to § XX-3 hereof shall not apply to any noise emitted by or related to:

A. Natural phenomena.

B. Any bell or chime from any building clock, school or church.

C. Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm system used in an emergency situation. This exclusion does not include, however, intrusion alarms attached to any building, structure, or property not terminating within 30 minutes after being activated or any intrusion alarm attached to a vehicle not terminating within 10 minutes after being activated. The repetition of activation of the audible signal of an intrusion alarm due to malfunction, lack of proper maintenance, or lack of reasonable care shall be considered excessive noise.

D. Warning devices required by OSHA or other state or federal safety regulations.

E. Noise created as a result of an emergency, including, but not limited to, the use of emergency generators.

G. Activities sponsored by or specially licensed or under permit from the Town of New Fairfield or the New Fairfield Public Schools, including, but not limited to, parades, sporting events, concerts, recreational activities, the Hahlawah Rifle and Pistol Club, the New Fairfield/Sherman Animal Welfare Society and firework displays. This exclusion applies only if noise discharged from exhausts is adequately muffled to prevent loud and/or explosive noise therefrom. Moreover, patriotic or public celebrations may not extend longer than one calendar day. Shooting from the Hahlawah Rifle and Pistol Club may not run beyond the hours of 10:00AM-12:30 on Sunday mornings.

H. Noise from snow removal equipment, provided that such equipment shall be maintained in good repair so as to minimize noise, and noise discharged from exhausts shall be adequately muffled to prevent loud and/or explosive noises therefrom.

I. Noise created by refuse and solid waste collection and processing, provided that such activity is conducted during daytime hours.

J. Utility maintenance, including, but not limited to, the removal of fallen trees and the installation and repair of utility wires and poles.

K. Town of New Fairfield construction, road repair, and tree removal operations or tree removal operations under an Emergency Declaration.

L. Activities conducted by the Town of New Fairfield in a governmental capacity or by the State of Connecticut or by the government of the United States.

§ XX-5

Administration and Penalties for offenses.

A. Enforcement of this chapter rests with the Chief of Police or his/her delegate. In the case of Candlewood Lake or Squantz Pond State Park, the Connecticut Department of Energy and Environmental Protection may also enforce the requirements of this chapter.

B. The first violation of any of the provisions of this chapter shall be punished by a fine not to exceed \$100. Each day any such violation shall continue or each act in violation of this chapter shall constitute a separate offense. The second violation by any person or entity of any provision of this chapter shall be punished by a fine of \$150. Subsequent violations of any provision of this chapter shall be punished by a fine of \$250 per day of violation.

§ XX-6

Variations.

Any person living or doing business within the Town of New Fairfield may apply for a variance from one or more of the provisions of this article in accordance with the procedures established by this chapter. No variance shall be issued unless it has been demonstrated that the proposed activity will not violate any provisions of the Connecticut Department of Environmental Protection regulations as set forth in Connecticut General Statutes, § 22a-69 et seq.



Lisa Low, Ph.D.

Lisa Low & Associates

Project #NF11-015
Homeowners Carol MURPHY
 5 Fulton Drive
 New Fairfield, CT 06812

**HOUSING REHABILITATION PROGRAM
PAYOFF SUMMARY**

BASIC CONTRACT AMOUNT	33,950.00	
Alternate #1		
TOTAL CONTRACT AMOUNT	33,950.00	
Limited Title Search	146.00	
Lead Based Paint Inspection	670.00	
Risk Assessment		
Wipes		
Lead Based Paint Abatement Plan		
Lead Based Paint Management Plan		
TOTAL MORTGAGE AMOUNT	34,766.00	Vol.499 Pg.1276
Post-Lead Hazard Assessment	300.00	
Change Order #001	2,200.00	
Change Order #002	1,575.00	
Change Order #003	500.00	
Change Order #004	4,490.00	
MODIFICATION AGREEMENT	43,831.00	Vol.511 Pg.40
Change Order #005 - FURNACE	8,500.00	
MODIFICATION AGREEMENT	52,331.00	Vol.511 Pg.192
PAYOFF AMOUNT	52,331.00	

A. Settlement Statement

U.S. Department of Housing
and Urban Development



OMB Approval No. 2502-0265

B. Type of Loan

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input type="checkbox"/> Conv. Unins.	6. File Number Murphy Sale	7. Loan Number	8. Mortgage Insurance Case Number
4. <input checked="" type="checkbox"/> VA	5. <input type="checkbox"/> Conv. Ins.				

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. NAME OF BORROWER: Tiffany Karalis
ADDRESS OF BORROWER: 39 Cameron Road, Brewster, NY 10509
E. NAME OF SELLER: Estate of Carolann Murphy
ADDRESS OF SELLER: 5 Fulton Drive, New Fairfield, CT 06812
F. NAME OF LENDER:
ADDRESS OF LENDER:
G. PROPERTY LOCATION: 5 Fulton Drive, New Fairfield, CT 06812
ID#:
H. SETTLEMENT AGENT: Don Chieffalo, Attorney at Law
PH# 203-744-1111
36 Mill Plain Road, Suite 305, Danbury, CT 06811
PLACE OF SETTLEMENT: 36 Mill Plain Road, Suite 305, Danbury, CT 06811
I. SETTLEMENT DATE: 2/10/2021
Disbursement Date:
Settlement Agent Tax ID#:

J. Summary of Borrower's Transaction

100. Gross Amount Due from Borrower	
101. Contract sales price	205,000.00
102. Personal property	
103. Settlement charges to borrower (line 1400)	
104.	
105.	
Adjustments for items paid by seller in advance	
106. City/town taxes 2/10/2021 to 6/30/2021	2,030.40
107. County taxes to	
108. Assessments to	
109. to	
110. to	
111. to	
112. to	
120. Gross Amount Due from Borrower	207,030.40
200. Amounts Paid by or in Behalf of Borrower	
201. Deposit or earnest money	6,150.00
202. Principal amount of new loan(s)	
203. Existing loan(s) taken subject to	
204.	
205.	
206.	
207.	
208.	
209.	
209a.	
209b.	
Adjustments for items unpaid by seller	
210. City/town taxes to	
211. County taxes to	
212. Assessments to	
213. to	
214. to	
215. to	
216. to	
217. to	
218. to	
219. to	
220. Total Amounts Paid by or in Behalf of Borrower	6,150.00
300. Cash at Settlement from/to Borrower	
301. Gross amount due from borrower (line 120)	207,030.40
302. Less amounts paid by/for borrower (line 220)	6,150.00
303. Cash <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower	200,880.40

K. Summary of Seller's Transaction

400. Gross Amount Due to Seller	
401. Contract sales price	205,000.00
402. Personal property	
403.	
404.	
405.	
Adjustments for items paid by seller in advance	
406. City/town taxes 2/10/2021 to 6/30/2021	2,030.40
407. County taxes to	
408. Assessments to	
409. to	
410. to	
411. to	
412. to	
420. Gross Amount Due To Seller	207,030.40
500. Reductions In Amount Due to Seller	
501. Excess deposit (see instructions)	
502. Settlement charges to seller (line 1400)	19,779.00
503. Existing loan(s) taken subject to	
504. Payoff of first mortgage loan	145,864.11
505. Payoff of second mortgage loan	39,887.29
506. Payoff to Commissioner State of CT DSS	1,500.00
507.	
508.	
509.	
509a.	
509b.	
Adjustments for items unpaid by seller	
510. City/town taxes to	
511. County taxes to	
512. Assessments to	
513. to	
514. to	
515. to	
516. to	
517. to	
518. to	
519. to	
520. Total Reductions in Amount Due Seller	207,030.40
600. Cash at Settlement to/from Seller	
601. Gross amount due to seller (line 420)	207,030.40
602. Less reductions in amount due seller (line 520)	207,030.40
603. Cash <input type="checkbox"/> To <input type="checkbox"/> From Seller	

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
SETTLEMENT STATEMENT

L. Settlement Charges				Paid From Borrower's Funds At Settlement	Paid From Seller's Funds At Settlement
700. TOTAL SALES/BROKER'S COM. based on price	205,000.00 @	5.00 % =	10,250.00		
Division of Commission (line 700) as follows:					
701.	5,125.00	to Independent Realty			
702.	5,125.00	to William Pitt Sotheby's International			
703.	Commission paid at Settlement				10,250.00
704.	to				
800. Items Payable in Connection With Loan					
801.	Loan Origination Fee	%	to		
802.	Loan Discount	%	to		
803.	Appraisal Fee		to		
804.	Credit Report		to		
805.	Lender's Inspection Fee		to		
806.	Mortgage Insurance Application Fee		to		
807.			to		
808.			to		
809.			to		
810.			to		
811.			to		
812.			to		
813.			to		
814.			to		
815.			to		
900. Items Required By Lender To Be Paid In Advance					
901.	Interest from	2/10/2021	to 3/1/2021 @	/day	
902.	Mortgage Insurance Premium for	months	to		
903.	Homeowner's Insurance for	years	to		
904.		years	to		
905.		years	to		
1000. Reserves Deposited With Lender					
1001.	Hazard insurance	months@	per month		
1002.	Mortgage insurance	months@	per month		
1003.	City property taxes	months@	per month		
1004.	County property taxes	months@	per month		
1005.	Annual assessments	months@	per month		
1006.		months@	per month		
1007.		months@	per month		
1008.		months@	per month		
1009.		months@	per month		
1100. Title Charges					
1101.	Settlement or closing fee	to	Law Offices of Dom Chieffalo		7,500.00
1102.	Abstract or title search	to			
1103.	Title examination	to			
1104.	Title insurance binder	to			
1105.	Document preparation	to			
1106.	Notary fees	to			
1107.	Attorney's fees	to			
	(includes above items numbers:				
1108.	Title insurance	to			
	(includes above items number :				
1109.	Lender's coverage: Risk Premium		INS AMT:		
1110.	Owner's coverage: Risk Premium	973.00	INS AMT:	205,000.00	
1110a	Endorsements:				
1111.		to			
1112.		to			
1113.		to			
1200. Government Recording and Transfer Charges					
1201.	Recording Fees:				
1202.	City/county tax/stamps:				
1203.	State tax/stamps:				
1204.	Recording Fees	to	Town Clerk		300.00
1205.		to			
1300. Additional Settlement Charges					
1301.	Survey	to			
1302.	Pest Inspection	to			
1303.	Roof Inspection	to			
1304.	Copies/postage/fax	to	Law Offices of Dom Chieffalo		55.00
1305.	Release Tracking	to	SMS FasTrax		120.00
1306.	Funeral Costs	to			1,350.00
1307.	House Insurance	to			54.00
1308.	Overnight Fee	to	Law Offices of Dom Chieffalo		150.00
1309.		to			
1400.	Total Settlement Charges	(enter on lines 103, Section J and 502, Section K)			19,779.00

CERTIFICATION

Date: 2/10/2021

I have carefully reviewed this Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of this Settlement Statement.

_____ Borrower _____ Seller
 _____ Borrower _____ Seller

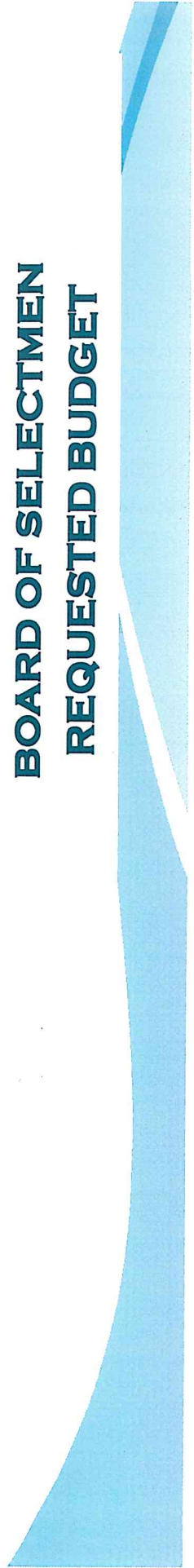
The Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused the funds to be disbursed in accordance with this statement.
 _____ Dom Chieffalo, Attorney at Law

2/10/2021 DATE

**TOWN OF NEW
FAIRFIELD**



**2021 / 2022
BOARD OF SELECTMEN
REQUESTED BUDGET**





MUNICIPAL (BOS) BUDGET

- **BOARD OF SELECTMEN MEET WITH DEPARTMENT HEADS TO REVIEW ANNUAL BUDGET REQUESTS**
- **BOARD OF SELECTMEN DISCUSS AND MARK UP THE BUDGET**
- **SERIES OF 12 PUBLIC BUDGET WORKSHOPS**
- **BOARD OF SELECTMEN APPROVE BUDGET TO SEND TO BOARD OF**

FINANCE



TOWN SERVICES

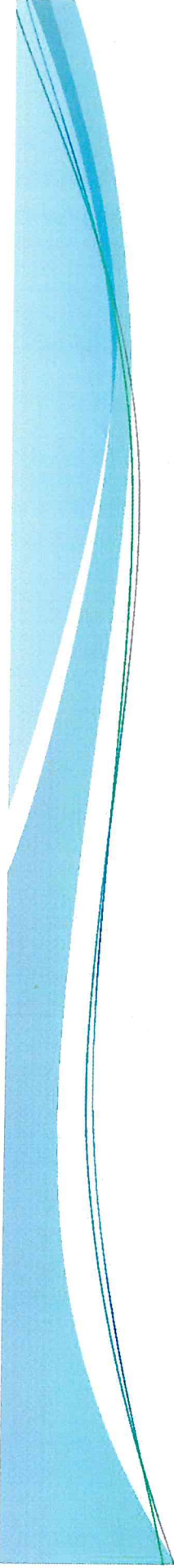
- DEPARTMENT HEADS PREPARE BUDGET REQUESTS BASED ON PRIOR YEARS' EXPERIENCE, THEIR EXPERTISE AND KNOWLEDGE AND UPCOMING OR UNUSUAL CIRCUMSTANCES
- TOWN SERVICES INCLUDE
 - ROAD MAINTENANCE AND PLOWING
 - SENIOR SERVICES
 - POLICE
 - FIRE AND EMS
 - LAND USE
 - EVENTS AND ACTIVITIES
 - PUBLIC LIBRARY
- DETAILED BUDGET DOCUMENTS
 - WWW.NEWFAIRFIELD.ORG
 - MUNICIPAL DEPARTMENTS
 - FINANCE
 - 2021 BUDGET WORKSHOPS

Budget Summary

	Approved Budget 2020/2021	Workshop Summary 2021/2022	Proposed BOS Changes 2021/2022
Total Municipal Operations	11,304,040	11,923,471	11,673,034
Municipal Debt Service	135,811	-	-
Contribution to Cap & Non	-	1,095,698	433,198
Municipal Medical Insurance	836,869	836,869	836,869
Total Municipal Budget	12,276,720	13,856,038	12,943,101
Year to Year Increase \$\$		1,579,318	816,660
Year to Year Increase %		12.86%	5.43%

Proposed Fiscal Year 2021/2022 Municipal Budget Changes

	<u>Amount</u>	<u>%</u>
<u>Total Municipal Budget as Presented on 1/26/21</u>	\$ 13,856,038	12.86
<u>Changes in the Operating Budget</u>		
Reduce the Road Repair From \$250,000 to \$125,000 (Potential Funding from the FY 20/21 Surplus)	(125,000)	
Reduce the Increase in Town Engineer From \$60,000 to \$20,000	(40,000)	
Reduce the Increase in Vacant PD Position from Full Year to Partial year, same as in FY 2020/2021	(32,513)	
Reduce the Zoning Enforcement Raise from \$24,000 to \$10,000	(14,000)	
Reduce the Increase in Salary Adjustment for Union Contract Re-Negotiation from \$56,674 to \$45,340	(11,334)	
Replacement of the Assistant Library Director at a Lower Rate	(12,132)	
Adjustment to Social Security for Payroll Changes	(8,914)	
Reduce the Non-Union Salary Increases From 2.5% to 2%	(5,016)	
Reduce the Elected Salary Increases from 2.5% to 2%	(1,528)	
	\$ (250,437)	
<u>Changes in the Capital & Non-Recurring Budget</u>		
Eliminate the PD Cameras (Request Additional Appropriation Prior to 7/1/21)	(200,000)	
Reduce the Cost of Two Public Works Trucks from \$215,000 to \$115,000	(115,000)	
Eliminate the Sewer Study from the Bridge & Drainage Budget (Potential Funding From FY 20/21 Surplus)	(110,000)	
Eliminate the Vinyl Siding on Company A Firehouse (Potential Funding From FY 20/21 Surplus)	(60,000)	
Eliminate the Senior Center Dam & Pond from the Bridge & Drainage Budget (Move to the following Fiscal Year)	(50,000)	
Eliminate the Ball Pond Watershed Study from the Bridge & Drainage Budget (Move to the following Fiscal Year)	(50,000)	
Eliminate the Fire Marshall Vehicle (Move to the following Fiscal Year)	(40,000)	
Reduce the Bridges Under 20" from \$50,000 to \$20,000 in the Bridge & Drainage Budget	(30,000)	
Eliminate the Skid Steer Equipment (Move to the following Fiscal Year)	(7,500)	
	\$ (662,500)	
Total Changes	\$ (912,937)	
<u>Revised Total Municipal Budget</u>	\$ 12,943,101	5.43
<u>Effect of Filling the Holes Created in FY 20/21 Budget</u>		
Capital & Non-Recurring from Zero to \$433,198 in FY 21/22	\$ 433,198	
Road Repair from Zero to \$125,000 in FY 21/22	\$ 125,000	
Effect of Filling the Holes Created in FY 20/21 Budget	\$ 558,198	4.55
<u>Revised Total Municipal Budget as Presented on 1/26/21 excluding the Effect of the Holes</u>	\$ 12,384,903	0.88



Revised Total Municipal Budget

\$12,943,101 5.43

Effect of Filling the Holes Created in FY 20/21 Budget

Capital & Non-Recurring from Zero to \$433,198 in FY 21/22

\$433,198

Road Repair from Zero to \$125,000 in FY 21/22

\$125,000

Effect of Filling the Holes Created in FY 20/21 Budget

\$558,198 4.55

Revised Total Municipal Budget as Presented on 1/26/21 excluding the Effect of the Holes

\$12,384,903 0.88