

**MINUTES
PUBLIC HEARING
BOARD OF MAYOR AND BURGESSES
AUGUST 7, 2018**

1. Mayor N. Warren “Pete” Hess called the public hearing to order at **6:46 p.m.** with the following in attendance:

BURGESSES:

L. Taf Jackson	D. Hoff
M. Bronko	R. Neth
R. Burns, absent	R. Vitale
J. DeOliveira	D. Wisniewski
C. Herb	

PRESS:

L. Marshall

RESIDENTS:

Eight

DEPARTMENT HEADS:

J. Stewart, Public Works Director
J. Lawlor, Human Resources Director

C. Edson, Chief of Police
J. Bernegger, Deputy Police Chief

OTHERS:

S. Ribeiro, Assistant to DPW Director
M. Leonard, Conservation Commission
J. DeBisschop, Second Assistant Fire Chief

E. Fitzpatrick, Attorney
D. Scinto, Board of Finance
K. Burdick, Assistant to Police Chief

2. Mayor Hess announced the Public Hearing is to discuss the proposed amendment to **Ordinance #130 – Child Safety Zone**, continued from June 5, 2018. Legal Notice of this hearing has been published in the Republican American Newspaper on August 5, 2018.

Mayor Hess stated there will be a recording of the public hearing and everyone will be given an opportunity to speak after stating their name and address for the record.

3. Public Comment

Edward Fitzpatrick – Borough Attorney

There is pending litigation in Connecticut. An ordinance similar to ours is being challenged in federal court asserting there are constitutional violations. A person was convicted in 1995 and served prison time. He contends the Town of Windsor Locks is further restricting his freedom of travel. Attorney Fitzpatrick thinks it is not prudent to take action on the proposed amendment until we receive some judicial guidance. The proposed amendment leaves the decision up to the chief of police. What if the chief errs? Attorney Fitzpatrick recommends keeping the adopted ordinance but does not recommend adopting the proposed amendment.

Mayor “Pete” Hess

We want a bullet proof ordinance that protects the public but doesn’t step on anyone’s rights.

F. Finkle – 268 Wedgewood Drive

He thinks the ordinance is discriminatory. He passed out a list from the Police Department of various criminal offenses committed in Naugatuck from November 2017 to April 2018.

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He asked if laws will be created to protect the public from these criminals. He said the board has the right to remove the ordinance just as it had to vote for it. He asked the board to revoke the ordinance. Even though they committed a crime, they have a right to due process.

E. Kloc – 204 Park Avenue

Keep the ordinance in place. In her opinion, changing it would attract more offenders.

Mayor “Pete” Hess

Mayor Hess told Attorney Fitzpatrick to look at amendments to the waiver and ensure the underlying ordinance is constitutional. He instructed him to monitor pending litigation in other towns, to take into consideration the public comments made tonight, and to watch the lawsuit as it progresses through the system.

4. Mayor Hess declared the public hearing shall remain open and continued on **October 2, 2018.**

A digital recording of this meeting is available in the office of the Borough Clerk for further review.

Attest:

Nancy K. DiMeo
Borough Clerk