Board of Selectmen Regular Meeting

May 5, 2015 4:30 P.M. Town Hall

Present: Bruce Adams, Susi Williams and Mike VanValkenburg.

Also present: Darlene Brady, Virginia Bush-Suttman, Debbie Devaux, Lesly Ferris, Karren Garrity, Donna Hayes, Connie Manes, Rick Osborne and Lynn Worthington.

Mr. Adams called the meeting to order at 4:30 p.m.

The Pledge of Allegiance was recited.

Approval of Minutes:

Mrs. Williams asked that the following correction be made to the Board of Selectmen minutes of April 7, 2015:

Add Karren Garrity as attending

Page 3 correct the spelling of Stuart Farms

Page 4 correct the spelling of Peter D'Aprile and Apothecary Mrs. Williams made a motion to approve the minutes of April 7, 2015 regular meeting, as amended. Mr. VanValkenburg seconded the motion and the motion carried.

Mr. Adams made a motion to approve the minutes of the April 9, 2015 special meeting minutes, as submitted. Mrs. Williams seconded the motion and the motion carried.

Mr. Adams stated that he received a written correspondence from Linda Hall regarding the minutes of April 13, 2015. Mrs. Williams made a motion to approve the minutes of the April 13, 2015 special meeting, as submitted and with the written correspondence from Linda Hall attached. Mr. VanValkenburg seconded the motion and the motion carried.

Mr. Adams made a motion to approve the minutes of April 29, 2015 and May 1, 2015, as submitted. Mr. VanValkenburg seconded the motion and the motion carried.

Public Communication:

Oral: None.

Written: Mr. Adams stated that he received the following written correspondences:

- April 27, 2015 memo from Lesly Ferris regarding the senior activities for the month of April.
- April 20, 2015 letter addressed to Donna Hayes, Kent Land Use Administrator, and copied to the Board of Selectmen from Jennifer Dubray regarding her rescinding her application for the position of Land Use Clerk.

Report of First Selectman:

Mr. Adams reported on the following things he did in the month of April:

- Met with First Selectmen/Mayors of Towns abutting Kent
- Met with John Kaminski to see mattress recycling
- Met with Ben Rosen to discuss Kent Presents
- Met with Town Attorney
- Met with KVFD President Jim Canning
- Attended FOI seminar in Cornwall
- Attended Garden Club luncheon
- Three pistol permits
- KCS Arbor Day ceremony

Meetings covered by the BOS - Group or individual

- Monthly Chamber meeting Bruce
- BOF Bruce
- · COG Bruce
- Streetscape Bruce
- HRRA Bruce
- BOS 3 meetings full board

Police Report:

Phone number at Town Hall is 860-927-3134. E-mail is residenttrooper@townofkentct.org

Trooper Fisher continues to do an exemplary job. He is proactive and is really getting to know the town.

A number of residents and business owners have commented on his demeanor and visibility. I am hearing nothing but positive comments.

Mr. Adams stated that he will be attending a meeting on Thursday, May 7, 2015 in Stamford regarding the new Tribal Recognition Regulations.

Report of Selectmen:

Mrs. Williams reported that the Historical Structures Task Force has met again and is making progress.

Mr. VanValkenburg had nothing to report.

Report of Treasurer:

The treasurer did not attend the meeting and did not provide any reports.

Tax Refunds/Take off Small Balances:

Mr. Adams made the following motion: in accordance with the Town of Kent Code of Ordinances, Chapter 18, Sec. 18-8, dated 1/2009, the Tax Collector is authorized to retain overpayments of taxes if such credit balances are less than P \$5.00. The nineteen accounts on the attached list dated 5/4/215 have balances from (\$0.01) to (\$4.84) totaling \$29.80. I approve adjusting all of these credit balances to zero and the \$29.80 be transferred to Tax Refunds, line 130-320. Mr. VanValkenburg seconded the motion and the motion carried.

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BOARD OF SELECTMEN REGULAR MEETING MINUTES, MAY 5, 2015

Mr. Adams made a motion to approve the following seven tax refunds as submitted:

Davila, Carlos A.	\$29.49
Wilkins, Kristin M.	9.12
Acar Leasing LTD	108.65
Place, Kevin F.	11.79
Foley, Brian	48.46
Vault Trust	267.11
Rojas-Garcia, Esteban E.	26.17

Mr. VanValkenburg seconded the motion and the motion carried.

Employee(s) report(s) on Seminar/workshops:

Town Clerk Darlene Brady reported that she attended a CTCA workshop on April 16, 2015. She provided a written report (attached).

Land Use Administrator Donna Hayes reported that she and Social Services Director Leah Pullaro attended a workshop at C.C.S.U. regarding "Hoarding." Mrs. Hayes stated that the some of the presenters were professionals and some were "hoarders". She added that it was a very informative workshop and highly recommended it.

CL&P Clean Energy Communities program

Mr. Adams made a motion to approve the Clean Energy Communities Municipal Pledge, understanding that the Clean Energy Communities Pledge is not a contract, and that CEFIA, the Energy Efficiency Fund, and the Companies have not contracted, committed, agreed or promised to perform or incur any obligations, in any manner, hereunder. Mr. VanValkenburg seconded the motion and the motion carried.

Kent Affordable Housing Tax Abatement:

Mr. Adams made a motion to grant a ten-year partial abatement of real estate taxes for Kent Affordable Housing's five additional apartments at 15 Maple Street Extension, called Stuart Farm Apartments, Phase II. Mr. VanValkenburg seconded the motion and the motion carried.

Wording for the May Town Meeting

Mr. Adams made a motion to update page 16 of the Policy and Procedure manual. Grants to read as follows:

Grant proposals or applications must be must be approved by the First Selectman and the Treasurer before submission. If further approval is needed, the grant request will be referred to the Board of Selectmen.

Mr. VanValkenburg seconded the motion and the motion carried.

Mr. Adams made a motion to update the wording for the Town Meeting motion to read as follows:

To authorize the Board of Selectmen or other Town officials, in accordance with the Kent Policy and Procedure Manual to apply for, accept and expend funds of any federal, state or other funds of grants including but not limited to Town Aid Road up to \$500,000 for general municipal purposes for the fiscal year 2015-2016. Said appropriation by the Town Meeting on May 15, 2015.

Mr. VanValkenburg seconded the motion. Mr. Adams and Mr. VanValkenburg voted yes and Mrs. Williams abstained. The motion passed.

P&R request for use of Town Hall Lawn for Three Summer Concerts:

Lesly Ferris stated the Park and Recreation Commission proposed a summer concert series this summer and respectfully requests use of the front lawn at Kent Town Hall for the concerts. This would be a free concert series, which would be co-sponsored by the Kent Chamber of Commerce. Park and Recreation also requests use of the outdoor electrical service. They would provide a garbage pail and port-o-let. Mr. Adams made a motion to approve the concept, pending approval of dates. Mrs. Williams seconded the motion and the motion carried.

Land Use Clerk:

Donna Hayes reported that the Land Use Clerk Interview Sub-Committee made a recommendation to hire Ms. Jennifer Calhoun as the Land Use Clerk, effective May 11, 2015. The hours of employment will be up to 15 hours per week plus two meetings per month with the possibility of attendance at special meetings as the budget allows. Compensation would be at the rate of \$19.00 per hour. Mr. VanValkenburg made a motion to accept and approve the recommendation of the Land Use Clerk Interview Sub-committee and hire Jennifer Calhoun as the Land Use Clerk, effective May 11, 2015. The hours of employment will be up to 15 hours per week plus two meetings per month with the possibility of attendance of special meetings as the budget allows. Compensation would be at the rate of \$19.00 per hour. Mrs. Williams seconded the motion and the motion carried.

Right to Farm Ordinance:

Connie Manes of the Conservation Commission stated that the ordinance was drafted to protect the farmers from nuance lawsuits. The ordinance protects the farmer and the Regulations control what the farmer can do. Mr. VanValkenburg made a motion to approve the proposed Right to Farm ordinance, as written (attached) and bring the Ordinance to the Town Meeting on May 15, 2015. Mr. Adams seconded the motion. Mr. Adams and Mr. VanValkenburg voted yes and Mrs. Williams abstained. The motion passed.

Kent Center School Roof project:

Mr. Adams made the following motion:

The \$500,000 included in the 2015/2016 fiscal year capital budget for building improvements is dedicated to the Kent Center School partial roof replacement project.

Mr. VanValkenburg seconded the motion and the motion carried.

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BOARD OF SELECTMEN REGULAR MEETING MINUTES, MAY 5, 2015
PAGE 4

Appoint Fred Hosterman as Inland//Wetland Alternate:

Mr. Adams made a motion to appoint Fred Hosterman to the open Inland/Wetland alternate position with a termination date of 11/18/2017. Mrs. Williams seconded the motion and the motion carried.

Assessor's request for Course Costs:

Mr. Adams stated Jennifer Dubray submitted a request for education and training reimbursement. Mrs. Dubray is requesting reimbursement for course material (\$70.00 book), mileage (\$62.10) and time. Mr. VanValkenburg made a motion to approve Mrs. Dubray's request for reimbursement of course materials of \$70.00, mileage of \$62.10 and her time. Mrs. Williams seconded the motion and the motion carried.

Approval of Town Meeting Agenda:

Mr. Adams made a motion to approve the warning for the Annual Budget Meeting, including the new wording previously approved for item number 1 and pursuant to the Board of Finance final approval of the 2015/2016 proposed budget figures. Mr. VanValkenburg seconded the motion and the motion carried.

Continued discussion for use of \$500,000 STEAP Grant:

Mr. Adams provided a sample questionnaire. Mrs. Williams asked for number 2 to be clarified and the items be identified as alpha characters and not numbered. Mr. Adams stated that he would make a few adjustments and send samples to the other selectmen for approval.

2015-2016 Selectmen's Operating Budget:

Mr. Adams stated no action taken.

Mr. VanValkenburg made a motion to adjourn the meeting at 5:44 p.m. Mrs. Williams seconded the motion and the motion carried.

Joyce Kearns

Administrative Assistant

1.0

7 -8 A 9 15

These are draft minutes and the Board of Selectmen at the subsequent meeting wake corrections. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

AGENDA

BOARD OF SELECTMEN REGULAR MEETING

May 5, 2015 4:30 P.M. TOWN HALL

Regular Monthly Meeting

- 1. Call to order
- 2. Pledge of Allegiance
- 3. Approval of Minutes

а	April 7, 2015	Regular meeting
b	April 9, 2015	Special Budget meeting
С	April 13, 2015	Special Budget meeting
d	April 29, 2015	Special meeting
е	May 1, 2015	Special meeting

- 4. Public Communication
 - a Oral
 - b Written
- 5. Report of First Selectman
- 6. Report of Selectmen
- 7. Report of Treasurer
- 8. Tax Refunds/Take off Small Balances
- 9. Employee(s) report(s) on Seminar/workshops
- 10. New Business
 - a CL&P Clean Energy Communities program
 - b Kent Affordable Housing Tax Abatement
 - c Approval of Town Meeting agenda
 - d P&R request for use of Town Hall lawn for three summer concerts
 - e Land Use Clerk
 - f Right to farm ordinance
 - g Kent Center School Roof project
 - h Appoint Fred Hosterman as Inland//Wetland Alternate
 - I Assessor's request for Course Costs
- 11. Old Business
 - a Wording for the May Town Meeting
 - b Continued discussion for use of \$500,000 STEAP Grant
 - c 2015-2016 Selectmen's Operating Budget

RECEIVED FOR RECORD
KENT TOWN CLERK

12. Adjourn

"An equal opportunity employer and service provider,"

2015 APR 30 P 3 42

C

Omissions in April 13, 2015 Board of Selectmen Minutes

Nothing about Town Attorney "opined" that PPM for reference only (not something to be adhered to) ... and opinion included as attachment

Nothing about my questioning the fact that you did not make sure both Jennifer Dubray and I could attend the meeting. The possibility of executive session should have been foreseen in the event performance was the cause of one or both of us to be unqualified. You even asked if I got the email you sent to the personal email address you had on file for me as it was not on your letter.

Nothing about not receiving an answer to my emails DATED March 9th and March 10th.

Nothing about Donna stating that according to her interpretation of the sentence (If there were no qualified from within) and that as (Title – Department Manager?) she had the authority to post outside.

Nothing about her stating that both Jenn and I were qualified.

Nothing about my stating that the PPM has been disregarded and then revised for actual action taken at least twice in the past.

Nothing about Susi stating she would also like to see the PPM eliminated.

No determination Board of Selectmen as to whether or not this did or did not, in their opinion, follow the procedure stipulated in the PPM.

Jennifer Dubray 93 Richards Rd. South Kent, CT 06785

April 20, 2015

Donna Hayes
Kent Land Use Administrator

Dear Donna:

I respectfully rescind my application for the position of Land Use Clerk which was recently advertised. I have many reasons for this and they are as follows.

First of all the process was not handled properly, in my opinion. The Policy and Procedure Manual for the Town of Kent states:

"The Department Head shall notify the First Selectman of all vacancies. Should the Board of Selectmen desire to fill the vacancies, the Town of Kent will try to fill job openings by promoting from within, if qualified internal applicants are available. If there are no qualified candidates from

within, the Department Head shall inform the public of the available position by posting announcements of same vacancies on the official Town website and in such other places as may be deemed appropriate."

This process was used when I was hired as the Assessor's Assistant and it was again used when the Board of Finance clerk was hired. It was also used for the recent job opening for the Treasurer's Assistant but to my knowledge no one from within applied for the position. I do not believe this process was followed correctly in this case. I should have been interviewed and deemed not qualified before it was posted on the town's website and appeared in the local paper.

It is also my opinion that this position does not require someone to work 15 hours per week. I believe it should be strictly a position for a clerk for the Building Dept. and the Fire Marshall. Unlike other towns, we have a full time Land Use Administrator and I don't believe an assistant is needed in the zoning department, nor do I feel two people from that department should have to attend meetings. If that is the case someone could be hired separately who specializes in taking meeting minutes.

I also do not feel the starting pay should have been increased before someone was even hired. The starting pay should start where it was left off with the last clerk and then be increased as the job duties increase or job performance warrants such an increase.

Lastly, the following are minutes from the February 23, 2015 Inland Wetlands Commission meeting:

"7.A.3. Town of Kent, Financial Update, July through January, 2015.

Ms. Hayes advised the Commission that there was nothing major to report and that we will be under budget with regard to the clerk salary line. Ms. Werner asked Ms. Hayes if she had done anything about replacing the previous land use clerk. She replied that she had not advertised it but has someone in mind for the position but needs to talk to them."

And then on March 23, 2015 this position was discussed under Executive Session during the Inland Wetlands Commission meeting. I do not believe that comment should have been made on February 23, 2015 nor do I feel it should have been discussed on March 23, 2015 in Executive Session. It is quite obvious someone has been chosen for this position and things have been altered to accommodate him or her.

I enjoy the two positions I have currently with the Town of Kent, so for these reasons and others which I do not wish to mention at this time I no longer wish to pursue the position of Land Use Clerk.

Sincerely,

Jennifer Dubray

Cc: Board of Selectman
Planning and Zoning Commission
Inland Wetlands Commission
Building Department
Fire Marshal

Office of the Tax Collector

Town of Kent

41 Kent Green Boulevard P.O. Box 311 Kent, CT 06757 (860) 927-3269

May 5, 2015

In accordance with the Town of Kent Code of Ordinances, Chapter 18, Sec. 18-8 dated 1/2009; the Tax Collector is authorized to retain overpayments of taxes if such credit balances are less than \$5.00. The nineteen accounts on the attached list dated 5/4/15 have balances from (\$.01) to (\$4.84) totaling \$29.80. I request that the Board of Selectman approve adjusting all of these credit balances to zero and the \$29.80 be transferred to Tax Refunds, 130-320.

Deborah Devaux, CCMC, Tax Collector, Town of Kent

Date of approval of the Board of Selectman:

Board of Selectman

Date of approval of Tax Collector: 05/05/2015

RATEBOOK REPORT KENT

BILL # UNIQUE ID D-S	TAXPAYER 1 ADDRESS	NAME	1	ST INST/ADJ	2ND INST/ADJ 3RE DATE PAID	INST/ADJ 4TH TAXES	INST/ACJ Flag INTEREST	BINT	LIEN	FEES	BALANCE DUE
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RATEBOOK REPORT KENT

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INST-4	0.00	CURR SUSP	0.00	CURR LIEN	0.00	PREV FEES	0.00 0.00			
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RATEBOOK REPORT

KENT

Credit, Active, Regular, Year: 1998 To 2013, Total: No, Flag:, Date: 05/04/2015, Time: 11:46:14 a Conditions: Recap By Dist:No, Cycle: 00, Pay Date: 05/04/2015, Name: To, Dist:, Type: TOWN, Sort: Bill Number

Page: 3

BILL # UNIQUE ID D-	TAXPAYER 1 -S ADDRESS	NAME	1	.ST INST/ADJ 2	ONE PAID DATE PAID	INST/ADJ 4TH TAXES	INST/ADJ Flag INTEREST	BINT	LIEN	BALANCE DUE FEES
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90410				50.57						-0.21
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2013-04-0080395	ROSEN BENJ	IAMIN M								
80420				237.57						-0.11
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INST-3	0.00	CURR TAX	345.78	CURR FEES	0.00	PREV FEES	¢.30			
INST-4	0.00	CURR SUSP	0.00	CURR LIEN	0.00	PREV LIEN	0.00			
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INST-3	0.00	CURR TAX	40,098.41	CURR FEES	0.00	PREV FEES	0.00			
INST-4	0.00	CURR SUSP	0.00	CURR LIEN	0.00	PREV LIEN	0.00			
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PREV ADJ	0.00	NET BAL	-29.80	CURR REF	0.30	PREV REF	0.00			
PREV TAX	0.00	RECV BAL:	0.00	CURR R INT	0.00	PREV R INT	0.00			
PREV BINT	0.00	REFUND BAL	-29.80	CURR RLIEN	0.00	PREV RLIEN	C.00			
PAY OFF	0.00	DISCOUNT	0.00	CURR R FEE	0.00	PREV RLIEN	C.OC			
BEG COLL	40,084.78			CURR RBINT	0.00	PREV RBINT	0.00			

To:

Board of Selectmen

From:

Darlene Brady, Town Clerk

Date:

May 5, 2015

Re:

Attendance of CTCA 4/16/2015

Highlighted Topics of the Conference:

-Notary Public

Liability of notarizing

What documents does your Town handle?

Do you charge?

-Elections:

Party Endorsement Process

Nominating & Petitioning Candidates

Local Questions on Ballot

End of Night Tallying of Votes (especially the unknown votes)

Continued enhancements to improve election night process

Reporting of votes

Using State system to check off voter for entrance to poll

Absentee Ballots (Application, Emailing of application, Permanent)

Update of Campaign Finance Filing requirements

Visits with the vendors

Vakear 5/5/15

-Was able to network with the 5 adjoining towns regarding their vendor conversion for their land record management system. Since then, I have met the company and received a proposal.

CLEAN ENERGY COMMUNITIES MUNICIPAL PLEDGE

The Clean Energy Communities program is an initiative funded by both the Clean Energy Finance and Investment Authority (CEFIA-formerly known as the Connecticut Clean Energy Fund) and the Connecticut Energy Efficiency Fund. CEFIA and the Energy Efficiency Fund develop programs which collectively seek to have Connecticut cities and towns both reduce energy use and increase support for clean, renewable energy for municipal facilities. Energy Efficiency Fund programs are administered by Eversource and The United Illuminating Company (collectively, "the Companies").

By applying currently available energy efficiency and clean, renewable energy technologies the Town of Kent can save money, create a healthier environment and strengthen local economies; and accordingly, the Town of Kent makes the following Clean Energy Communities Municipal Pledge:

- 1. The Town of Kent pledges to reduce its municipal building energy consumption by 20% by 2018. Building energy consumption shall be determined by benchmarking municipal building energy consumption to a baseline fiscal year. The Town of Kent can elect from the following fiscal years to determine its energy baseline year: 2010-2011, 2011-2012, 2012-2013 or 2013-2014.
 - a. The Town of Kent will seek to reduce its municipal building energy consumption for municipal facilities by at least 20% by 2018. The schedule follows:

i. Fiscal Year 2013-2014: 8% Reduction

ii. Fiscal Year 2014-2015: 11% Reduction

iii. Fiscal Year 2015-2016: 14% Reduction

iv. Fiscal Year 2016-2017: 17% Reduction

v. Fiscal Year 2017-2018: 20% Reduction

- b. The Town of Kent will work with the Companies, contractors or other entities to benchmark its municipal buildings (including board of education buildings) to determine the municipal buildings' energy usage.
- c. Beginning July 1, 2015, the Town of Kent agrees to provide documentation of its municipal building energy consumption on an annual basis by the end of the first quarter of the following fiscal year.
- d. The Town of Kent pledges to create its own Municipal Action Plan (MAP) to determine its path in reducing its energy consumption. The Town of Kent may satisfy this requirement by submitting a pre-existing municipal energy plan, sustainability plan, climate change action plan or similar document.
- e. There is no penalty if the Town of Kent fails to meet the reduction amounts set forth in the schedule above. However if these reduction targets are not met starting July 1, 2015, the Town of Kent will not be eligible to receive Bright Idea Grants from the Connecticut Energy Efficiency Fund and Companies under the Clean Energy Communities program.
- 2. The Town of Kent pledges to purchase 20% of its municipal building electricity from clean, renewable energy sources by 2018.
 - a. The Town of Kent will seek to make a voluntary purchase of at least 20% of the electricity for municipal facilities from clean, renewable energy sources by annual CEC program requirements. The schedule follows:
 - i. Fiscal Year 2013-2014: 16% Purchase

ii. Fiscal Year 2014-2015: 17% Purchaseiii. Fiscal Year 2015-2016: 18% Purchaseiv. Fiscal Year 2016-2017: 19% Purchasev. Fiscal Year 2017-2018: 20% Purchase

- b. The Town of Kent may satisfy this requirement by taking municipal action steps to support clean energy such as opting into Commercial-Property Assessed Clean Energy (C-PACE) or adopting streamlined permitting practices for solar PV systems; purchasing Green-e® Energy certified Renewable Energy Credits (RECs); enrolling one or more municipal facilities in the CTCleanEnergyOptionsSM program; installing Class I renewable energy systems; or any combination thereof.
- c. The Town of Kent agrees to provide CEFIA documentation of its municipal clean energy purchases on an annual basis.
- d. There is no penalty if the Town of Kent fails to meet the items set forth in the schedule above; however, the Town of Kent will not be eligible to receive incentive rewards from CEFIA under the Clean Energy Communities program.
- 3. The Town of Kent agrees to promote energy efficiency and clean, renewable technologies in its community. The Town of Kent is encouraged to establish a Clean Energy Task Force, or comparable body. This entity will assist the municipality in meeting the Clean Energy Communities Municipal Pledge and to perform education and outreach among residents, businesses and institutions within the community concerning energy efficiency and clean, renewable energy programs.

By taking the pledge and meeting the Clean Energy Communities Program requirements outlined by CEFIA and the Connecticut Energy Efficiency Fund, the Town of Kent may qualify, subject to the terms of separate memorandums of understanding, for the following grants:

a. CEFIA. For every 100 points, the Town of Kent will earn a 1 kilowatt (or equivalent) clean energy system.

b. Energy Efficiency Fund. For every 100 points, the Town of Kent will earn a Bright Idea Grant that can be used for energy-saving projects. The Town of Kent is eligible for two Bright Idea Grants per fiscal year.

Bruce K. Adams*	Date
First Selectman	
Town of Kent	

^{*} The Town of Kent understands that the Clean Energy Communities Municipal Pledge is not a contract, and that CEFIA, the Energy Efficiency Fund, and the Companies have not contracted, committed, agreed or promised, to perform or incur any obligations, in any manner, hereunder.



April 30, 2015

To: The Board of Selectmen

Fr: Donna M. Hayes
Land Use Administrator

Re: Land Use Clerk Position

At last night's special meeting of the Land Use Clerk Interview Subcommittee, Mr. De Paul made the following motion:

Mr. De Paul moved to have Ms. Hayes write a memo to the Board of Selectman recommending the hiring of Ms. Jennifer Calhoun as the Land Use Clerk effective May 11, 2015. The hours of employment will be up to 15 hours per week plus two meetings per month with the possibility of attendance at special meetings as the budget allows. Compensation would be at the rate of \$19.00 per hour. Ms. Smith seconded and the motion carried unanimously.

As you remember, Ms. Calhoun was the previous Land Use Administrator for the Town, has her CAZEO certification and her inland wetlands agent designation. As a result of her past years with the Town, the members of the Subcommittee believe that she is extremely qualified for the position of Land Use Clerk and will be able to fulfill the requirements of the position with minimal training. Having someone in the office with Ms. Calhoun's past experience will also free up time for me to concentrate on projects that have been put on hold until the Clerk position was filled.

Please accept this memo as that recommendation and add this to your May 5th Board of Selectmen's meeting.

Thank you. 6



April 16, 2015

To: Board of Selectmen

Fr: John Johnson, Chairman, Planning & Zoning Commission

Re: Right to Farm Ordinance

At the April 9th regular meeting of the Planning & Zoning Commission, the Commission was presented with a draft of a Right to Farm Ordinance crafted by the Conservation Commission. During the presentation, discussion was held on the draft, Atty. DiBella's comments on the draft and the Conservation Commission's response to Atty. DiBella's comments.

At the end of the discussion, the following motion was made:

Mr. Manes moved to have Ms. Hayes and Mr. Johnson draft a letter of support of the Right to Farm Ordinance created by the Conservation Commission to the Board of Selectman. The letter of support will be delivered to the First Selectman along with a copy of the revised ordinance. Mr. Cherniske seconded and the motion carried unanimously.

Please accept this as support of the newly created Right to Farm Ordinance and a formal request that it be added to the agenda for the May Town Meeting. At that time, the Conservation Commission will be available to make a formal presentation to the residents of the Town if needed. Attached is the revised Right to Farm Ordinance.

If you have any questions, please feel free to contact me or Connie Manes, Chairman Conservation Commission.

Encl.

Cc: Connie Manes, Chairman Conservation Commission

Chapter 5
Section 5.2 RIGHT TO FARM

Purpose and Intent.

Agriculture is a significant part of the Town of Kent's heritage, its rural character, and may constitute a vital part of the Town's future. It is therefore the declared policy of the Town of Kent and legislative determination of the legislative body of Kent to conserve and protect agricultural land and to encourage agricultural operations and the sale of farm products within the Town. It is the purpose and intent of this ordinance to promote and advance the Town's policy and reduce the loss of agricultural resources by limiting circumstances under which any such operation may be considered a nuisance. It is hereby further legislatively determined that whatever impact may be caused to others through normal agricultural practices, such impact is offset and ameliorated by the benefits of farming to the neighborhood, community, and society in general. Methods of farming that comport with generally accepted farming practices are also deemed to comport with community standards at large. This ordinance is not to be construed as modifying or abridging state law relative to the abatement of nuisances, but is to be used in the interpretation and characterization of activities and in considering and implementing enforcement of the provisions of the Ordinances of the Town of Kent and other applicable Town regulations, consistent with the provisions of Connecticut General Statutes § 19a-341. Additionally, the terms of this ordinance may be used in determining whether the methods and practices that may come under review conform to community standards.

Declaration.

No present or future agricultural operations conducted or maintained in a manner consistent with accepted customs and standards of the agricultural industry, on a recognized farm which is engaged in the act of farming as defined in this ordinance, shall become or be considered a nuisance solely because such activity resulted or results in any changed condition of the use of adjacent land. Agricultural operations may occur on holidays, weekends and weekdays by night or day, provided such activities do not violate applicable health, safety, fire, life safety or building codes and regulations. It is herein understood that such practices may include without limitation:

- 1. The incidental noise from livestock or farm equipment;
- 2. Odors from livestock, manure, fertilizer, compost, agricultural end-products, or feed;
- 3. Dust and fumes created during plowing or cultivation operations;
- 4. The use of agricultural chemicals, pesticides and fertilizers including manure, provided such chemicals and the method of their application conform to practices approved by the Commissioner of the Department of Energy and Environmental Protection, or, where applicable, Commissioner of Health Services; and
- 5. Irrigation and water management associated with normally accepted farming practices.

These provisions shall not apply whenever a nuisance results from the negligent or improper operation of any such agricultural operation.

Definitions.

"Agriculture" means cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale.

"Agricultural Operations" means activities relating to agricultural use including, but not limited to, the cultivation and tillage of soil, the burning, processing, or composting of agricultural waste products or other agricultural burning, processing or composting, provided that such composting activity shall not be the sole or primary agricultural operation, protection of crops and livestock from insects, diseases, birds, predators or other pests from damaging or potentially damaging crops, the proper and lawful use of agricultural chemicals including but not limited to the application of pesticides and fertilizers, or the raising, production, irrigation, pruning, harvesting, or processing of an agricultural commodity, including any type of crop or livestock, and any forestry improvements and timber harvesting and processing. Such operations also include the operation and transportation of farm equipment over roads within the Town and conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided the activities are related to marketing the agricultural output or services of the farm and produce and livestock products and provided same do not conflict with any provisions of the zoning regulations. For purposes of this ordinance, such operations do not include the slaughtering of animals not raised on the premises where they are to be slaughtered.

"Farm" means land used primarily for agricultural activities including:

- agriculture, nurseries, orchards, ranges, forestry, nursery or truck gardening, or for raising or keeping of livestock and fowl but excluding the raising of animals for laboratory use or for their fur,
- farm buildings and accessory buildings thereto including barns, silos, greenhouses, hoop-houses and other temporary structures or other structures, and
- as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities.

Dispute Resolution and Advisory Opinions.

An interested person may submit a written request to the First Selectman's office for an opinion as to whether a particular agricultural operation constitutes a nuisance or is an activity that is incidental to normal and customary farming activity and comports with community standards. In the event a dispute arises between an agricultural operator and a resident in the Town of Kent as to whether a particular

Right To Farm Ordinance – April 19 2015 Kent Conservation Commission

agricultural operation constitutes a nuisance, either interested party may submit a written request to the Selectmen for an advisory opinion or to mediate the dispute. The Selectmen may promulgate such regulations and procedures as it deems necessary for the implementation of this section. Nothing herein shall preclude any party from either appealing said advisory determination to the Superior Court for the Judicial District of Litchfield and/or commencing a direct action in said court to abate the claimed nuisance.

Passed: [date]

Published: [date]

Effective: [date]



MEMORANDUM

April 29, 2015

To: Board of Selectmen

Fr: Donna M. Hayes, Land Use Administrator

Re: Appointment of Fred Hosterman to Alternate Position

At the April 27, 2015 regular meeting of the Inland Wetlands Commission, the Commission unanimously agreed to recommend that Fred Hosterman be appointed by the Board of Selectmen to the open Inland Wetlands Alternate position with a termination date of 11/18/2017.

Can you please add this to your agenda for the next regular meeting.

Thanks.



REQUEST FOR EDUCATION AND TRAINING REIMBURSEMENT

Name of Employee:	Jenniter Dubray
Date of Request:	UH 130/15
Details of the Request:	
	sor's School from 5/31/15-6/5/15 at
UCONN, Storrs Ca	mpus I will be taking CCMA course 1B-
	ation. Attached is a Simmory of the
	applied for a Scholarship for the course
Cost but would a	pareciale reinburgement for the course
materials mileage	and time. I will have to buy a \$7000 book
	38 miles @ 57.5/mi = \$ 62.10 and cultatever
<u>ceimbursement for t</u>	time lost I receive would be greatly appreciated.
There is \$500.00	0 in the budget for conferences.
Mis class (s a ty	Pical requirement for an employee on the assessment
	Kent The technical knowledge required and
	s in the Towns best interest to have qualified
	nd on a data base that is valued close to 16.11101
dollars and generates	in excess of 12 million in levenue.
Data of Calastina is Assessed	
Date of Selectmen Approva	11:
latina & Kraphi	homeson Wis 1 2015
Department Head Signature	
- opao load oighatan	5 Baily

Phone: (860) 927-4627 • Fax: (860) 927-1313 • www.townofkentct.org

Assessor's School @ ucown

This course is intended for newly-elected assessors, assessor clerks, new staff members and others interested in earning the CCMA designation. Along with CCMA 1A, this is an appropriate course for first-time attendees.

CCMA Course 1B - Assessment Valuation

Content: Concept of value, 490 valuation (farm, forest and open space), Revaluation, Sales ratio and grand list codes, Motor vehicle assessment administration, Personal property assessment administration, Miscellaneous valuation problems.

Prerequisites: None

CCMA IB

Connecticut Assessment Valuation

I. Concept of Value

- A. Value in use
- B. Value in exchange
- C. Market value
- D. Miscellaneous terms used in assessing

II. Rule of Valuation

- A. All property assessed at market value except classified Farm, Forest and Open Space
- B. Assessed valuation

III. Public Act 490 – Farm Forest and Open Space

- A. General information
- B. Farm
- C. Forest
- D. Open Space

IV. Revaluation

- A. Purpose
- B. OPM's role
- C. Preparation
- D. Public relations and notices
- E. Other revaluation concerns
- F. CAMA Revaluation

V. Sales Ratio Studies

- A. Purpose
- B. Calculations
- C. Design
- D. Stratification of data
- E. Analysis of data

VI. Ratio Statistics

- A. Equalized Net Grand List (ENGL)
- B. Measuring level of assessment
- C. Measure of assessment uniformity

VII. Proration of Assessments

- A. Prorated assessments for construction that is unfinished as of prior October 1
- B. Assessment of new construction
- C. Damaged buildings
- D. Transfer of tax exempt property
- E. Transfer of property receiving homeowner's tax relief

VIII. Motor Vehicles

- A. Regular motor vehicle listing
- B. Supplemental motor vehicle listing
- C. Valuation of motor vehicles
- D. Prorates and credits

IX. Personal Property

- A. Definition
- B. Discovery
- C. Declarations (Form M-15)
- D. The "Three-Month Rule"
- E. Penaltics
- F. Methods of valuation
- G. Leased property
- H. Leasehold improvements
- I. Certificates of correction
- J. Increase/decrease notices
- K. Auditing
- L. Exemptions

Education and Training

Continuing Education

Employees are encouraged to attend workshops and conferences as included and approved in their respective departments' budgets.

Job Certification

The Town will pay the cost of necessary job certification courses, as pre-approved by the Board of Selectmen. Such costs will include course materials and the employee's mileage and time.

Appendix F

LEGAL NOTICE WARNING TOWN OF KENT ANNUAL BUDGET MEETING – MAY 15, 2015

The electors of the Town of Kent and those qualified to vote in the Town Meeting of the Town of Kent are hereby warned and notified that the Annual Budget Meeting of the Town of Kent will be held on Friday, May 15, 2015 at 7:00 p.m. at Kent Town Hall, 41 Kent Green Boulevard, Kent, CT for the following purposes:

- 1. To authorize the Board of Selectmen or other Town officials, in accordance with the Kent Policy and Procedure Manual, to apply for, accept and expend funds or grants including, but not limited to, Town Aid Road up to \$500,000 for general municipal purposes for the fiscal year 2015-2016. Said appropriation is in addition to grant expenditures approved by the Town Meeting on May 15, 2015.
- 2. To authorize the Board of Education or other Town Officials to apply for, accept and expend funds of any federal, state or other funds or grants up to \$200,000 for educational purposes for the fiscal year 2015-2016. Said appropriation is in addition to grant expenditures approved by Town Meeting on May 15, 2015.
- 3. To appropriate from Reserve Fund for Capital and Nonrecurring Expenditures an amount equal to the expenditures approved in the Fiscal Year 2015-2016 column of the Five-Year Capital Plan.
- 4. To consider and act upon the recommendations of the Board of Finance for a Five-Year Capital Plan.
- 5. To consider and act upon the recommendation of the Board of Finance for Fiscal Year July 1, 2015 to June 30, 2016 inclusive and appropriate money to defray the expenses of the Town in accordance with said budget as finally accepted and established as follows:

Board of Selectmen Operating Budget	\$3,233,661
Board of selectmen Operating Budget Adjustment	6,950
Transfer to Capital Fund for Future Projects	726,200
Transfer to Dog Fund	7,500
Debt Service	553,819
Firehouse Debt Service	139,375
Appropriations from Capital for	,
current year	900,000
Board of Education Operating Budget	4,460,107
Board of Education Adjustment	-25,000
Region 1 Budget	2,543,409
Appropriation for Schaghticoke	30,000

Total Expense \$12,576,021

6. Shall the Town of Kent adopt the Code of Ordinance of the Town of Kent Sec. 5-2 entitled "Right to Farm", with the following purpose and intent: Agriculture is a significant part of the Town of Kent's heritage, its rural character, and may constitute a vital part of the Town's future. It is therefore the declared policy of the Town of Kent and legislative determination of the legislative body of Kent to conserve and protect agricultural land and to encourage agricultural operations and the sale of farm products within the Town. It is the purpose and intent of this ordinance to promote and advance the Town's policy and reduce the loss of agricultural resources by limiting circumstances under which any such operation may be considered a nuisance. It is hereby further legislatively determined that whatever impact may be caused to others through normal agricultural practices. such impact is offset and ameliorated by the benefits of farming to the neighborhood, community, and society in general. Methods of farming that comport with generally accepted farming practices are also deemed to comport with community standards at large. This ordinance is not to be construed as modifying or abridging state law relative to the abatement of nuisances, but is to be used in the interpretation and characterization of activities and in considering and implementing enforcement of the provisions of the Ordinances of the Town of Kent and other applicable Town regulations, consistent with the provisions of Connecticut General Statutes § 19a-341. Additionally, the terms of this ordinance may be used in determining whether the methods and practices that may come under review conform to community standards. And further resolve that a summary of the proposed ordinance rather than a verbatim transcription of the entire ordinance be published pursuant to Section 7-157 (b) of the Connecticut General Statutes.

For ordinances published by summary, C.G.S. Sec. 7-157 (b) provides that the Town Clerk shall make a copy of such full text of any such ordinance available for public inspection, and shall, upon request, make available a copy of such ordinance to any person requesting a copy. A full copy of the aforesaid ordinance is available during regular office hours, Monday-Thursday 9 a.m. – 4 p.m. and Friday 9 a.m. – Noon.

The aforementioned ordinances and amendments to ordinance adopted at a Town meeting held on May 15, 2015 shall become effective fifteen (15) days after publication in a newspaper circulation in the Town of Kent.

Any disabled person requiring special assistance should contact Bruce Adams, First Selectman, for A.D.A. coordination at 860-927-4627 or firstselectman@townofkentct.org at least five days prior to this meeting.

Dated this 5th day of May 2015.

Bruce Adams First Selectman

Mary Williams
Selectman

Michael VanValkenburg
Selectman

Sample Constant Contact Questionnaire on use of \$500k STEAP Grant

The Town of Kent was awarded a \$500,000 STEAP grant a year ago to purchase the Town and Country lot and to develop the lot to include needed public restrooms and a visitor center. That deal did not work out, but we still have the funds, which must be used for a similar purpose. The following short questionnaire is an effort to get an idea what the town wants.

Please respond to the following 5 questions. There is a space for additional comment at the end.

- 1. Use the funds to purchase a portion of the Kent train station and add restrooms and a visitors center. The Kent Pharmacy is moving there. YES NO
- 2. Use the funds to purchase the small vacant lot behind the train station and construct a freestanding restroom/visitor center building. YES NO
- 3. Use the funds to do both #1 and #2 above. This of course is subject to pricing. YES NO
- 4. Add public restrooms/visitor center on the grounds of the town owned Swift House(near PATCO) YES NO
- 5. Build a freestanding building for restrooms/visitor center on the Town and Country lot. The new owner is interested in this. YES NO
- 6. Return the funds to the State. YES NO

Please add your comments here	
Trease and your comments	