



Board of Selectmen
Regular Meeting

October 6, 2022
4:00 P.M.

The minutes reflect motions and a summary of the discussion. Refer to the attached link for the recording of this meeting:

<https://www.youtube.com/watch?v=QTI45JVTUvw>

Jean Speck, Rufus deRham and Glenn Sanchez.

Also present: Darlene Brady, Melissa Cherniske, Jennifer Dubray, Lynn Harrington, Donna Hayes, Leila Hawken, Tia Kern, Connie Manes, Rick Osborne and Lynn Worthington.

Call to order:

Jean Speck called the meeting to order at 4:00 p.m.

Approval of Minutes:

Jean Speck made a motion to approve the September 15, 2022 Regular Board of Selectmen meeting minutes, as submitted. Glenn Sanchez seconded the motion and the motion carried.

Public Comment:

None.

Correspondence:

None.

Tax Refunds:

Jean Speck made a motion to approve one refund in the amount of \$519.96. Rufus deRham seconded the motion and the motion carried.

2022-2023 Plan of Conservation and Development – opportunity to submit comments prior to the November 10, 2022 public hearing warned by P&Z:

Donna Hayes:

- P&Z is asking for any written comments on the Plan of Conservation and Development be submitted to them no later than October 13, 2022.

Jean Speck:

- Big shout out to Donna Hayes, POCD Committee, P&Z Committee and IWC.
- Great job.
- Very positive process.

Glenn Sanchez:

- Have given it a read and nothing jumped out.

Tia Kern:

- Working on putting the document on the Town's website with live links.

Appointments:

Jean Speck made a motion to appoint John Worthington as a member of the Historic District for a 5-year term to expire on 1/31/2027. Rufus deRham seconded the motion and the motion carried.

Recommendation from Assessor Jenifer Dubray for vendor to conduct Reappraisal and Revaluation for the October 2023 Grand List:

Jen Dubray provided a written recommendation for the vendor to conduct the Reappraisal and Revaluation for the October 2023 Grand List, attached. Rufus deRham made a motion to accept Jen Dubray's recommendation to hire Vision Government Solutions Inc. to assist with the October 1, 2023 Revaluation. Jean Speck seconded the motion and the motion carried.

Main Street Noise and Traffic Sub-committee second report presentation:

Glenn Sanchez provided an overview of the Town of Kent Main Street Noise and Traffic Sub-Committee Second Report for the Board of Selectmen adopted on September 29, 2022, at a duly warned meeting via Zoom, attached.

Jean Speck:

- The Resident Trooper contract is a two-year contract, not a three-year contract.
- Towns have no say in the contract – this has not been my experience.
- Andrew Fisher communicates with me on a regular basis and keeps me informed.
- Sergeant Pearson from Troop L facilitated additional speed enforcement in town.
- Troop L has been very cooperative and collaborative.
- Constables come with expensive statutory requirements.
- Share the 2021 Crime Statistics link.

2023 BoS Regular meeting schedule:

Jean Speck:

- Need to discuss the 2023 BoS Regular meeting schedule.
- Do think two meetings a month has been useful.
- Four o'clock meetings are difficult for working people to attend.
- Thursday meetings, treasurer does not work on Thursdays.
- Bring calendars to the next meeting to confirm dates and times.

Salary review - Management review:

Jean Speck:

- Didn't get to it.

- Next meeting, start with assessor.
- Will circulate the CCM salary survey this week.

Assistant Land Use Administrator job description:

Rufus deRham made a motion to accept the Assistant Land Use Administrator job description, as edited. Jean Speck seconded the motion. After a discussion and a request to review the original job description, Rufus deRham rescinded the motion.

Discussion regarding town meeting for school resource officer and EMS staffing:

Jean Speck:

- Town Meeting scheduled for December 2nd and referendum scheduled for December 15th.
- Working with Randy on the legal notice and referendum questions.

Darlene Brady:

- Make sure all of the boards make the same motions with exactly the same wording of what's being brought forward to the people at the town meeting and the vote.
- Confirmed with Randy the wording needs to be exact.

COVID -19 pandemic update:

Jean Speck:

- Uptick in numbers.
- Plenty of masks and home tests in Town Hall.

EV Charging Station:

Jean Speck:

- Nothing new to report.

Flag policy resolution:

Jean Speck made a motion to adopt the flag policy with corrected date, as presented. Rufus deRham seconded the motion and the motion carried.

Main Street Traffic and Noise report – update:

Jean Speck:

- Nothing new to report.

Policy and Procedure Manual – update:

Jean Speck:

- Nothing new to report.
- Need to get back with the CIRMA labor attorney to get an indication on how they can help us get the manual reviewed and in shape.

Rooster noise complaint/Right to farm ordinance follow-up:

Rufus deRham made a motion that the rooster complaint is not considered a nuisance and is covered under the Right to Farm ordinance. Jean Speck seconded the motion and the motion carried.

Streetscape update:

Jean Speck:

- Walked the project today.
- Spoke with Janet Skinner, how her walkway will connect with the sidewalk.
- Mike Doherty will draw up a detail for Mather.
- Received communication from Katie Moore, requesting a similar detail as the Fife, where the concrete continues to the edge of the Villager.
- Mike Doherty is writing up that detail and he will come back with pricing for that and the liquor store.
- The property owners would pay the additional costs.
- Starting Tuesday, work will begin at the intersection in front of Swift and work north.
- Mike Gawel expressed concern with the lack of safety fencing being used at the end of the day around the edges of the pavement.
- Mike Doherty will advise Mather to start using more safety fence.

Swift House: ADA Checklist for existing Facilities review:

Jean Speck:

- Joyce drafted an implementation plan from the ADA checklist.
- Sent to John Worthington, with some edits.
- Just heard back from John this afternoon, keep on agenda.

Town Hall large meeting room video conference system update:

Joyce Kearns:

- Most of the electronic components have been installed.
- The room has been painted and damaged carpet tiles have been replaced.
- Next week the microphones will be mounted to the beams.
- Technical training will begin in the next few weeks.

Public Comment:

Lynn Worthington:

What data is actually available to us from the State Police?

How much of the cooperation with the State Police that you described is due to the goodwill of Trooper Fisher?

Jean Speck: If Andrew retired the troop would work with us to get the right fit. A good fit is something the lieutenant and I talked about.

Is there a State law regarding noise that the troopers are empowered to enforce?

Jean Speck: I don't know.

How much money is in the Land Use Assistant line and is the proposed higher rate within the budget?

Tai Kern: The low range is the current amount the previous clerk was being paid and the high range is the highest range of an assistant in the building currently.

Adjourn:

Jean Speck:

This is Donna's last BoS meeting as the Land Use Administrator.

Want to say great thanks for many, many years of work she has done in land use.

Rufus deRham:

Big thanks.

Glenn Sanchez:

Thank you, Donna.

Jean Speck made a motion to adjourn the meeting at 6:02 p.m. Rufus deRham seconded the motion and the motion carried.

Joyce Kearns

Joyce Kearns

Administrative Assistant

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



BOARD OF SELECTMEN
Regular Meeting Agenda
October 6, 2022 @ 4:00 P.M.

Join Zoom Meeting: <https://us02web.zoom.us/j/86081462994>

Meeting ID: 860 8146 2994

One tap mobile: +1 646 558 8656 US (New York)

Supporting documentation for this meeting:

<https://drive.google.com/drive/folders/1Vz7GpwEPFtulmBkwIkgiDJhL7kdjy5RZ>

1. **Call to order.**
2. **Approval of Minutes.**
 - 2.1. September 15, 2022 Regular BoS meeting minutes
3. **Correspondence.**
4. **Public Comment.**
5. **Tax Refunds.**
6. **New Business.**
 - 6.1. 2022-2023 Plan of Conservation and Development – opportunity to submit comments prior to the November 10, 2022 public hearing warned by P&Z.
 - 6.2. Appointments:
John Worthington, Historic District, 5-year term to expire 1/31/2027.
 - 6.3. Recommendation from Assessor Jenifer Dubray for vendor to conduct Reappraisal and Revaluation for the October 2023 Grand List.
 - 6.4. Main Street Noise and Traffic Sub-committee second report presentation.
 - 6.5. 2023 BoS Regular meeting schedule.
7. **Old Business.**
 - 7.1. Salary review - Management review.
 - 7.2. Assistant Land Use Administrator job description.
 - 7.3. Discussion regarding town meeting for school resource officer and EMS staffing.
 - 7.2. COVID -19 pandemic update.
 - 7.4. EV Charging Station.
 - 7.5. Flag policy resolution.
 - 7.6. Main Street Traffic and Noise report – update.
 - 7.9. Policy and Procedure Manual – update.
 - 7.11. Rooster noise complaint/Right to farm ordinance follow-up.
 - 7.12. Streetscape update.
 - 7.13. Swift House: ADA Checklist for existing Facilities review.
 - 7.14. Town Hall large meeting room video conference system update.
7. **Public Comment**
8. **Adjourn**

REQUEST FOR ABATEMENT OR REFUND OF PROPERTY TAXES

Sec. 12-81(20), Sec. 12-124, 12-125, 12-126, 12-127, 12-127a, 12-128, 12-129 Rev. as Amended
This is to certify that HUMPHREYS INNESS H

has presented satisfactory proof that he/she is entitled to an exemption on the assessment list of 10/01/2021

- ☐ Sec. 12-81 (20) Servicemen Having Disability Rating.
- ☐ Sec. 12-124 Abatement to poor.
- ☐ Sec. 12-125 Abatement of Taxes of Corporations.
- ☐ Sec. 12-126 Tangible Personal Property Assessed in more than one Municipality.
- ☐ Sec. 12-127 Abatement or Refund to Blind Persons.
- ☐ Sec. 12-127A Abatement of Taxes on Structures of Historical or Architectural Merit.
- ☐ Sec. 12-128 Refund of Taxes Erroneously Collected from Veterans and Relatives.
- ☒ Sec. 12-129 Refund of Excess Payments.

HUMPHREYS INNESS H
PO BOX 9
SOUTH KENT, CT 06785

2021-01-0000843
00017300
BULLS BRIDGE RD



2021010000843

To **DEBORAH DEVAUX** Collector of **KENT** State of Connecticut.

I hereby apply for refund* of such part of my tax as shall represent:

The service exemption or Sec. 12-129 Refund of Excess Payments.
(State reason -- Cross out service exemption if it does not apply)

		Tax	Interest	Lien	Fee	Total	Overpaid Tax
Total Due	07/01/2022	1,039.92	0.00	0.00	0.00	1,039.92	
Total Paid	08/31/2022	1,559.88	0.00	0.00	0.00	1,559.88	-519.96 ***
Adjusted Refund		-519.96	0.00	0.00	0.00	519.96	

PLEASE READ, SIGN, AND DATE BELOW:

I am entitled to this refund because I made the payments from funds under my control, and no other party will be requesting this refund. I understand that false or deliberately misleading statements subject me to penalties for perjury and/or for obtaining money under false pretenses.

Inness H Humphreys
Print Name

Inness H Humphreys Sept 6 2022
Signature of Taxpayer Date

COLLECTOR'S RECOMMENDATION TO THE GOVERNING BODY

To the First Selectman, or
It is recommended that refund* of property taxes and interest in the amount of 519.96
be made to the above-named taxpayer in accordance with the provisions of Section (s):

Sec. 12-129 Refund of Excess Payments.

DATED AT KENT, CONNECTICUT THIS 31 DAY OF August 2022

Deborah Devaux
DEBORAH DEVAUX

ACTION TAKEN BY GOVERNING BODY

The First Selectman, as authorized by the Board of Selectman, or
approved on the _____ day of _____ 2022. It was voted to refund
Property Taxes and Interest amounting to \$ _____ to _____

First Selectman

Other Governing Body

Clerk

Mail To : DEBORAH DEVAUX
KENT
PO BOX 311
KENT, CT 06757



2021010000843

GENERAL DATA REAL ESTATE KENT

AS OF 08/31/2022

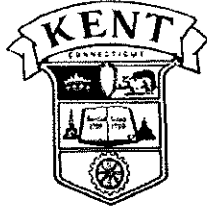
BILL NO: 2021-01-0000843 ORIGINAL OWNER: HUMPHREYS INNESS H
UNIQUE ID: 00017300 C/O:
LINK# ADDRESS:
FILE# ADDRESS2:
BANK: 12 CITY ST ZIP: SOUTH KENT CT 06785
ESCROW: COUNTRY:
VOL/PAGE: 96-292 PROP LOC.: BULLS BRIDGE RD
LIEN VOL/PAGE: EXR PROP LOC:
DISTRICT: M/B/L: 6 38 3
PROP ASSESSED: 56,000 ELD CODE: 0
EXEMPTIONS: EXMPT CHANGE:
COC CHANGE:
NET VALUE: 56,000
MILL RATE: 18.5700

*** BILLED ***
TOWN
INST1 519.96
INST2 519.96
INST3 0.00
INST4 0.00
ADJS 0.00
TOT TAX 1,039.92
TOTAL PAID: 1,039.92
TOTALS
519.96
519.96
0.00
0.00
0.00
1,039.92
1,039.92

*** PAYMENTS ***
TYPE CYCLE DATE ADJ TERM/BATCH/SEQ INST AMOUNT LIENS FEES TOTALS
Pmt 2 08/31/2022 0 89/3020/35 T 519.96 0.00 0.00 519.96
Pmt 2 08/31/2022 89/3020/34 T 519.96 0.00 0.00 519.96
Ref 2 08/31/2022 80/3015/1 T -519.96 0.00 0.00 -519.96
Pmt 1 07/25/2022 90/20/11 T 519.96 0.00 0.00 519.96
TOTAL PAYMENTS 1,039.92 0.00 0.00 1,039.92

TOTAL BALANCE DUE AS OF 08/31/2022
TOWN
INT DUE 0.00
LIEN DUE 0.00
FEES DUE 0.00
TAX DUE NOW 0.00
TOT DUE NOW 0.00
BALANCE DUE 0.00

*** FLAGS ***
Circuit Breaker Amount 0 Benefit Year 0
Invalid Address Flag No



**ASSESSOR'S OFFICE
TOWN OF KENT**

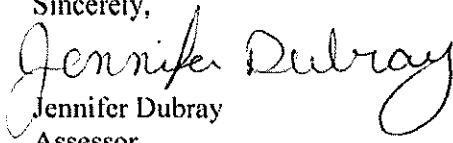
September 28, 2022

To: Jean Speck, First Selectman and Board Members
From: Jennifer Dubray, Assessor

Regarding the bids for the 2023 Grand List Revaluation

After the bid opening which took place at 3:00 on September 26th I recommend Vision Government Solutions Inc. to assist with the October 1, 2023 Revaluation. They were the lowest bid in the amount of \$46,600.00.

Sincerely,


Jennifer Dubray
Assessor
Town of Kent

Town of Kent Main Street Noise and Traffic Sub-Committee
Second Report for Board of Selectmen
Adopted on September 29, 2022, at a duly warned meeting via Zoom

By all accounts, the traffic is heavier in Kent than ever before and by extension, the volume of cars, motorcycles, cyclists, mopeds and pedestrians has increased both speed and congestion. Downtown's elevated activity and din spawned a subcommittee to take a look at the Noise and Traffic in the Village Zone in the center of Kent.

Traffic laws are not being obeyed; it is that simple. Enforcement of violations is required to help improve both vehicular and pedestrian safety in the village zone. Additionally, noise emanating from loud music, trucks, motorcycles, and cars has been voiced by the public as an ongoing issue of great concern.

In light of these concerns, the subcommittee's focus is the contractual relationship between the Town of Kent and the Connecticut State Police, specifically the Resident Trooper's protocol for patrol and enforcement within the Village Zone on behalf of the Town of Kent.

Eye witness accounts of numerous traffic infractions—from the mundane to the dangerous—is what the subcommittee is hoping to share.

Here are our Recommendations, Observations & Rationale, focused on the areas in which Connecticut State Trooper.

I. Resident Trooper Contract:

- Create specific language providing BOS with:
 - Specific directives on traffic area patrol in Village Zone;
 - Allotted times and days for Village Zone patrol;
 - Noise ordinance enforcement.

II. Village Speed Enforcement:

- Periodic large speeding stops on roads entering the Village Zone.
- Enforcement encourages compliance.

III. Patrol-Coverage:

- Patrolling on Main Street during high volume traffic days (Saturdays and Sundays from May through October, and Mondays on holiday weekends).
- Explore options to enhance the Resident Trooper's effectiveness:
 - Use of off-duty part time troopers on high volume days.
 - Review of a Constable program with how it works and at what cost to taxpayers.

IV. Noise Pollution:

- State statutes note that excessive noise is an equipment violation (not a moving violation).
- Establish enforcement procedure for noise offenses based on state statute.
- Provide law enforcement with a decibel meter and required training.

Observations:

V. Resident Trooper Contract:

- Existing three-year contract with State Police does not provide for specific BOS oversight or input.
- Taxpayers have no say on traffic areas to be patrolled, times or days for patrolling or enforcement of speeding or noise violations.
- Other towns in our area are also voicing concerns regarding effectiveness of the Trooper Program. (See "Are resident troopers worth the cost? Area towns assessing value associated with police coverage" article in the Republican-American, dated September 22, 2022.)

VI. Village Speed Enforcement:

- During the last three-year contract period the ticketing of violators of speeding, crosswalk infractions and/or noise offenses has been considerably limited.

VII. Patrol-Coverage:

- Since the onset of the pandemic Saturdays and Sundays from May through October, and Mondays on holiday weekends have seen significantly higher volumes of pedestrian, cyclist and motor traffic. This volume is estimated to become busier during the next three-year contract period.
- Police presence is sorely needed on Main Street on these high-volume days.
- There is no additional policing coverage on Main Street beyond one Trooper.

VIII. Noise:

- There is clearly excessive noise infringement on Main Street.
- The Trooper is neither equipped nor trained in monitoring noise infractions.
- State statutes regarding noise abuse and specific measurements are clear.
- Training is required and purchasing equipment (decibel meter) is available.
- There is no town-wide initiative/plan to educate non-offenders and offenders alike.

In summary, pedestrian and vehicular safety in the Village of Kent can be improved with the implementation of a few key measures:

1. Future State Trooper program contracts should include BOS input and direction on Trooper's traffic responsibilities.
2. Implementation of period targeted large-scale ticketing enforcement.
3. Increased daily frequency of traffic violation patrol and ticketing.
4. Increased attention to patrolling during Kent's high traffic season.
5. Review and Coordinate with State Trooper's need for additional assistance.
6. Purchase a decibel meter and train the State Trooper in use and enforcement of law.



TOWN OF KENT JOB DESCRIPTION

POSITION: ASSISTANT LAND USE ADMINISTRATOR

RATE: RANGE FROM \$23.10 THROUGH \$28.28

PURPOSE OF JOB CLASS (NATURE OF WORK):

The Assistant Land Use Administrator is a part time position that reports directly to the Land Use Administrator. In addition, the position supports the Building Official and the Fire Marshal by performing administrative duties. The Assistant Land Use Administrator may provide ZEO and WEO coverage as directed by the Land Use Administrator or in his or her absence and in accordance with Public Act 21-29 of the Connecticut General Statutes shall be certified. The Assistant Land Use Administrator is responsible for the following functions:

1. Provides assistance and support to Land Use Administrator
2. Permit processing and associated record keeping for the Building Department
3. Permit processing and record keeping for the Fire Marshal

SUPERVISION RECEIVED:

Reports directly to the Land Use Administrator

HOURS OF WORK:

This is a 15 hour per week part-time position plus the attendance of regular monthly meeting of the Planning and Zoning Commission and Inland Wetlands Commission. Attendance at special meetings as the budget allows.

EXAMPLES OF DUTIES:

- Receives and reviews all applications and related documents to ascertain that an application is complete and ready to submit to the Land Use Administrator and/or Building Official.
- Upon approval of the application by the Building Official, processes all paperwork and documents.
- Prepares staff reports at the direction of the Land Use Administrator.
- Prepares Zoning Permits and/or Certificates of Compliance at the direction of the Land Use Administrator.
- Attends regular monthly meetings of the Planning and Zoning Commission and Inland Wetlands Commission, as required. Special meetings as budget allows.
- Prepares and files minutes for the Planning and Zoning Commission and Inland Wetlands Commission as required by Connecticut State Statutes.

- Submits Building Department permit fees to the Town Treasurer and completes all monthly, quarterly and yearly reports, as directed.
- Prepares letters and memos as needed.
- Interfaces with building contractors, town residents, real estate agents, attorneys and title searchers and provides assistance in a professional manner.
- Processes burn permits for the Fire Marshal.
- Provides help to the public in filing applications to Zoning Board of Appeals.
- Maintains files for the Land Use Office.
- Ensures that all forms are available to the general public.
- Other duties as assigned.

KNOWLEDGE AND SKILL ABILITY:

- The ability to read maps and site plans.
- Knowledge of land use and building code requirements.
- Customer service oriented.
- Flexible and strong work ethics as well as the ability to multi-task.
- Highly developed organization skills.
- Proficient in Microsoft Office and Google Suite.
- Professional oral and written communication skills.

MINIMUM QUALIFICATIONS – GENERAL EXPERIENCE:

- General knowledge of land use planning and development administration, state statutes, and principles of environmental protection.
- Ability to interpret and apply statutes and regulations as they pertain to land use.
- Minimum of two (2) years' experience in Land Use or commensurate training.
- Ability to learn new software programs.

MINIMUM QUALIFICATIONS – SUBSTITUTIONS ALLOWED:

- n/a

PREFERRED QUALIFICATIONS:

- CT Certified Zoning Official
- DEEP Inland Wetlands Municipal Comprehensive Training Program Certified

SPECIAL REQUIREMENTS:

- Must be over 18 years of age.
- Must be a citizen of the United States
- Valid driver's license and availability of personal vehicle.

WORKING CONDITIONS:

- Office environment.
- May require physical ability to tour developed and/or undeveloped properties.
- Repetitive motion (use of computer keyboard)

BOS APPROVAL DATE:

- Periodic need to carry boxes (no more than 50 lbs.), move tables and chairs, hang signs, and other similar tasks that involve bending or reaching above one's head.
- May require standing for prolonged periods to do filing or sitting for prolonged periods for computer or telephone work.

BOS APPROVAL DATE:

TOWN OF KENT RESOLUTION – FLAG POLICY

The undersigned hereby certifies that they are the duly elected Town Clerk of the Town of Kent, which municipality is organized and existing under the laws of the State of Connecticut (the "Municipality"). The undersigned further certifies that the following is a true and accurate copy of a resolution adopted at a meeting of the of Board of Selectmen of Kent duly called and held on the 15th day of September, 2022, at which meeting a quorum was present and voting throughout.

WHEREAS, the purpose of this policy is to standardize the manner in which national, state, and local flags are to be displayed on the flagpole at Town Hall. Further, this policy is to bring display of flags on the flagpole at Town Hall in conformance with the Federal Flag Code at 4 U.S.C. 1, sections 4-10, as it may be amended from time to time.

Subd. 1. Sites

National and State Flags are to be flown from flagstaffs at designated building and park sites owned by the Town of Kent, CT which have stationary personnel. The National Flag shall be placed above the State flag when both are on the same staff.

Subd. 2. Flying the Flags at Half- Staff

- A. *National or State Declarations*: In response to a national or state declaration, flags shall be flown at half-staff. The Town will comply with instructions from the federal or state government regarding how long the flags should remain lowered.
 - B. *Memorial Day*: By Presidential Order, flags shall be flown at half-staff until noon on this day, then raised to full staff for the remainder of the day at facilities operating on this holiday.
 - C. *Patriot Day*: By Presidential Order, September 11 of each year is designated as "Patriot Day" and flags shall be flown at half-staff on this day.
 - D. *Local Authority*: Presidential Proclamation 3044 dated March 3, 1954, embodied in 4 U.S.C. section 7(m), allows for the display of the flag at half-staff "in accordance with recognized customs and practices not inconsistent with law." Accordingly, Town flags shall be lowered at half-staff as per Presidential or Gubernatorial proclamation.
- *Placing the Flags at Half-Staff*: To place the flags at half-staff, they shall first be raised briskly to the peak of the staff then slowly lowered to the midpoint. Before lowering the flags, they are to be raised to the peak again and then lowered all the way.

Subd. 4. Care of Flags

Flags are to be dry cleaned or replaced when they have been soiled. Flags that are not to be flown are to be burned or disposed of in an appropriate manner.

Subd. 5. Indoor Display

The U.S. flag shall stand on the left side of the large meeting room (from the audience's viewpoint). The Connecticut flag shall stand next to it on the right side of the U.S. Flag (from the audience's viewpoint.) All flags shall be on the same riser and of the same dimensions.

Subd. 6. Other Flag Displays

Other displays or uses of flags on town property shall be in conformance with applicable federal and state statutes or guidelines and displayed at the discretion of the Board of Selectmen.

Subd. 7. Raising and Lowering of Flags

- A. DPW personnel are responsible for the raising and lowering of flags in accordance with this policy.

B. Flood lights on the flags at the Kent Town Hall shall be maintained by DPW personnel.

Policy Display of Ceremonial and Commemorative Flags at Town Hall

Ceremonial Flag: This is a flag associated with a special observance, public ceremony, or other similar event.

Commemorative Flag: This is a flag that honors or celebrates an event, group, or cause.

Policy Purpose:

The purpose of this policy is to standardize the manner in which ceremonial and commemorative flags may be displayed on the flagpole at Town Hall.

Policy Statement:

1. The privilege to display ceremonial and/or commemorative flag is not as a matter of right, but rather shall be at the sole discretion of the Board of Selectmen. Neither the flagpole at Town Hall nor flag display apparatus on other Town Property is intended to be a forum for free expression by the public.
2. The Board of Selectmen will only consider resolution requests from a resident of Kent who wishes to display a ceremonial or commemorative flag on the flagpole at Town Hall.
3. Ceremonial and Commemorative flags:
 - o Shall be displayed only by permission of the Board of Selectmen pursuant to adoption of a formal resolution by the Board of Selectmen.
 - o Shall be provided by the resident of the Town of Kent who requested and received permission from the BOS.
 - o Shall only be displayed on the flagpole located at Town Hall, exclusively under and no larger than the flag of the United States.
 - o Shall only be flags that represent official day, week, or month observances in the United States by presidential proclamation.
 - o Shall be displayed for the period of time that is customary for the observance and no longer than 31 continuous days per calendar year. (Accordingly, one month is the maximum amount of time a Ceremonial or Commemorative flag may be displayed at any given time.)
 - o Shall be flown and lowered by DPW personnel only and not the requesting party or that party's representative or designee. DPW will raise and lower the flag in accordance with this policy.

NOW, THEREFORE, BE IT RESOLVED, that the town of Kent Board of Selectmen adopt this policy.

Given under my hand as Town Clerk of Kent this 15th day of September, 2022.

Signature: _____

Print Name: _____

CHAPTER 5 CONSERVATION COMMISSION

Sec. 5-1. Conservation Commission

1. Pursuant to the provisions of Section 7-131a of the General Statutes, the Town of Kent establishes a Conservation Commission which shall have all of the powers and duties set forth in said general statutes for the development, conservation, supervision and regulation of natural resources, within the Town.

2. The Conservation Commission shall consist of five (5) members, all of whom shall be electors of the Town of Kent. Thereafter, members shall be appointed for terms of three (3) years, each commencing on the first Monday of December in each year. Members shall continue to serve until their successors have been appointed and qualified.

3. There shall be two (2) alternate members to the Conservation Commission, all of whom shall be electors of the Town of Kent. The alternate members shall be appointed for a term of one (1) year each commencing on the first Monday of December in each year. The alternate members shall continue to serve until his or her successor has been appointed and qualified. When seated, the alternate members to the Conservation Commission shall have all of the powers and duties conferred upon regular members.

4. The Commission shall elect officers in the month of January in each for a three-year term at a meeting of the Commission duly warned and noticed. Said officers shall consist of a Chairman, Vice-chairman, Secretary and any other officers which the commission may deem necessary or appropriate. A special election, duly noticed, may be held to replace any officer who has resigned or is other wise unable to serve for the balance of the unexpired term of said officer.

5. The First Selectman shall appoint the members and the alternate member to the Conservation Commission and shall, by appointment, fill the remaining term of any member or alternate member who vacates, resigns or leaves office. The First Selectman may remove any member or alternate member for cause as provided by Section 7-131a(a) of the General Statutes.

History: Conservation Commission created by special town meeting June 20, 1974; rescinded Nov. 6, 1981; combined with Inland Wetlands Commission at special town meeting June 24, 1988, effective July 15, 1988; repealed and separated at vote February 5, 1999, revision adopted November 2, 2001, effective December 1, 2001.

Sec. 5-2. Right to Farm

1. 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 Kent Board of Selectmen to conserve and protect agricultural land and to encourage agricultural operations and the sale of local 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 local 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.

2. 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:

- (a) The incidental noise from livestock or farm equipment;
- (b) Odors from livestock, manure, fertilizer, compost, agricultural end-products, or feed;
- (c) Dust and fumes created during plowing or cultivation operations;
- (d) 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
- (e) 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.

3. 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 local 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.

“Locally” for the purposes of this ordinance shall mean all Connecticut counties as well as Dutchess, Columbia and Putnam Counties in New York; and Berkshire County in Massachusetts.

4. 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 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.

History: Adopted May 1, 2015, effective June 3, 2015.