

RECEIVED

By Darlene Brady at 1:23 pm, May 04, 2023



Board of Selectmen
Regular Meeting

April 26, 2023
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=1fbVuhpko_Y

Jean Speck and Glenn Sanchez.

Also present: Administrative Assistant was not present at the meeting. The minutes were completed via Zoom recording.

Call to order:

Jean Speck called the meeting to order at 6:06 P.M.

Amend the agenda:

Jean Speck made a motion to move item 7.5., the DEEP Sustainable Materials Management Grant Award for Food Scraps, to the top of the agenda. Glen Sanchez seconded the motion, and the motion carried.

Jean Speck made a motion to add the draft Inland Wetlands and Watercourse ordinance to the next item on the agenda. Glenn Sanchez seconded the motion, and the motion carried.

Jean Speck made a motion to add, as item 7.2.5. Kent Town Center reimbursement to the agenda. Glenn Sanchez seconded the motion, and the motion carried.

Jean Speck made a motion to add a new third item to the top of the agenda, a discussion on the regional opioid settlement money. Glenn Sanchez seconded the motion, and the motion carried.

DEEP Sustainable Materials Management Grant Award for Food Scraps:

Jennifer Heaton Jones of HRRA:

- In collaboration with Housatonic Resources Recovery Authority, the Town of Kent received a \$55,000 grant to implement a pilot program for food scrap recycling and unit-based pricing, pay as you throw.
- Residents can opt in. This is not mandatory.
- The food scraps brought to the transfer station will be taken somewhere else out of town to be processed.
- The compost will be brought back to the transfer station in the spring.
- Friday, May 12, there will be a hybrid Q&A at Town Hall and via Zoom.

Inland Wetlands and Watercourse Ordinance:

Tai Kern:

- IWC has been working in conjunction with the Land Use Attorney on a draft of the ordinance.
- The draft ordinance and an overview are attached.

Jean Speck:

- Proposed moving all of the ordinances matters to a Special Town Meeting in June.

Regional Opioid Settlement Grant funding:

Leonardo Ghio:

- The settlement dollars will be paid out over the next 18 years.
- There will be a more significant impact if the small towns take a regional approach.
- Currently working on an MOU that will be distributed for signatures.
- Asking the BoS to make a motion to regionalize the funds.

Jean Speck:

- No need for a motion now.
- Will wait to make a motion when the MOU is received.

Barbara Herbst:

- Kent received approximately \$8,000.

Approval of minutes:

Jean Speck made a motion to approve the following minutes

- March 1, 2023, Special BoS meeting
- March 13, 2023, Special BoS meeting
- March 15, 2023, Special BoS meeting

Glenn Sanchez seconded the motion and the motion carried.

Correspondence:

- Social Services Quarterly Report, attached.
- April 21, 2023, Email from Jodi Bogus, "Swap Shop at Transfer Station," attached.
 - Jean got back to Jodi.
 - A rumor that the area in front of the transfer station office was going to be discontinued.
 - No intention of discontinuing.
- April 26, 2023, Letter from Connie Manes, Chair, Kent Conservation Commission, "Kent's Right to Farm Ordinance," attached.
 - Jean noted she would read the letter into the record per Connie's request under the topic it is connected to on the agenda.

Public Comment:

Therese Duncan:

- Attending today's meeting to discuss the request to move the Social Services Office to the current office of the RoV.
- The current P&R office was occupied by the RoV and the Treasurer.
- Approximately two years ago, the treasurer moved to the office across from the copy room, Lesly Ferris' old office.
- P&R was then moved into the office with the RoV.
- The newly hired P&R Director acquired a lot of equipment.
- An elderly person had a difficult time making her way through the equipment to see the RoV.
- The concept of moving to the small meeting room was brought to the RoV's attention.
- While a letter was written making the request on March 20, 2023, Jean Speck just informed me on April 24, 2023, of the request.
- The RoV office is used more than one day per week.
- It is a hub of activity on any voting day.
- The issue of confidentiality will not be solved by moving the Social Service office to the other end of the hall, and there is a community copy machine and the shredding service.
- There are unknowns surrounding the early voting bills.

Donna Hayes:

- Hiring policy is not on the agenda.
- It was discussed at the last two BoS meetings.
- I hope this policy will not get pushed off until no decision is made.
- If no decision is made, I recommend eliminating the Policy and Procedure Manual in its entirety, as it has never been handled in the same manner for everyone.

Jean Speck:

- It was removed from the agenda because we didn't have a draft for the folder.

Glenn Sanchez:

- I wrote one and did not get it in on time.

Tax Refunds:

Jean Speck made a motion to approve the two tax refunds for a total of \$295.21. Glenn Sanchez seconded the motion and the motion carried.

Treasurer Report:

Barbara Herbst:

- No written report.
- Busy working on day-to-day activity and budget items.

Social Services request to relocate office:

Jean Speck:

- Samantha did send the memo out back at the end of March.
- We had a number of discussions about it.
- I had a couple of ideas about possibilities, none of them panned out.
- Hoping to have it coincide with the new phone system installation.
- Therese Duncan made a good point that we are outgrowing this building.
- I did not anticipate that this would go to the board.
- This is an operational decision that will be made based on space and need.

Glenn Sanchez:

- I hear all sides.
- There is not enough space.
- This is causing some friction.
- Schools and organizations sometimes go through a study to see how many people use each and every room and how much traffic those people generate.

Samantha Hasenflue:

- In addition to clients having to wait in the hallway, there is an adjoining door between Social Services and Park and Rec, which is concerning and makes it difficult to maintain confidentiality.
- People signing up for P&R programs in the spring and summer generates a lot of activity at the end of the hall.

Patricia Oris:

- My husband, Julio Braga, is an architect who specializes in office design.
 - I could get him to do a walkthrough of the offices and give his expert advice on how you may set things up differently.
- Jean will set up an appointment with Julio.

Approval of Streetscape Phase I change orders:

Change Order #3:

Jean Speck made a motion to approve change order #3 in the amount of \$23,939.86. Glenn Sanchez seconded the motion and the motion carried.

Change Order #4:

Jean Speck made a motion to approve change order #4 in the amount of \$13,449.17. Glenn Sanchez seconded the motion and the motion carried.

Change Order #5:

Jean Speck made a motion to approve change order #5 in the amount of \$24,377.30. Glenn Sanchez seconded the motion and the motion carried.

Rick Osborne noted that there might be more change orders if something is done down by the bridge.

Property owner cost for reimbursement, Firefly Inn.

Jean Speck made a motion to reimburse the Kent Town Center \$1,614.77 for the work submitted secondary to the sidewalk project. Glenn Sanchez seconded the motion.

Barbara Herbst;

- Is there documentation for that request?

Jean – yes.

- What line is this going to get paid out of?

Jean – out of the project money.

Jean Speck rescinded the motion, and Glenn Sanchez rescinded the second.

Barbara Herbst added the documentation to the shared folder during the meeting. It was determined that not all of the work has been completed yet. No action was taken.

Building Inspector Contract to expire on 6/30/23:

Jean Speck:

- This is a first pass.
- I will be meeting with Joe Manley to discuss the contract.
- It will need to go to the town attorney.

Glenn pointed out some language regarding software that will need to be updated due to the software in the proposed budget.

Lake Waramaug Wake Boat informational meeting, May 1, 2023, @ 4:00 P.M.

Jean Speck:

- Some folks that live on the lake would like an ordinance to limit the use of Wake Boats on the lake.
- Kent has not drafted an ordinance yet.
- The meeting will be with the Lake Association and the Lake Authority to discuss this concept.

Appointment of Anthony Palumbo to IWC:

Jean Speck made a motion to accept the recommendation from Donna Hayes and the Inland Wetlands Commission to appoint Anthony Palumbo to the open Inland Wetland alternate position, with a term date ending December 21, 2023. Glenn Sanchez seconded the motion and the motion carried.

Homeland Security Grant blanket resolution:

Jean Speck made a motion to approve or adopt the Town of Kent resolution authorizing participation in the State of Connecticut Homeland Security Grant program. Glenn Sanchez seconded the motion and the motion carried.

Holiday Closure update for the Policy and Procedure Manual:

Jean Speck:

- I meant to remove it from the agenda.
- Keep it on the agenda for next month.

Swift House Needs Assessment funding update:

Jean Speck:

- The Board of Finance made a motion to add the \$13,900 for the needs assessment into the 2023/2024 proposed budget for consideration at the hearing and the Town Meeting.
- I have called all of the references.
- I have heard back from two.
- Once I hear back from all three references, I will aggregate all of that and get it into a document to distribute for informational purposes.

Right to Farm Ordinance - written request for an opinion from William and Melissa Braislin:

Jean Speck:

- Read April 26, 2023, Letter from Connie Manes into the record, attached.
- I had a conversation with the farm owner, who indicated that he was doing his best not to run equipment at night to accommodate the concerns in the complaint.

Jean Speck made a motion to take the recommendation of the Conservation Commission and stay the current Right to Farm issue that is on the table with the Board of Selectmen. Glenn Sanchez seconded the motion and the motion carried.

Jean Speck will reach out to both parties via email to let them know where the Board of Selectmen is on this issue.

KVFD Tax Abatement:

Jean Speck:

- Received an updated draft of the ordinance back from the town council.
- During the discussion, some questions and concerns were raised.
- The document will be sent back to the town council with an ask for a quick discussion and an updated draft.

KVFD SOP update:

Glenn Sanchez made a motion to accept the Kent Volunteer Fire Departments S.O.P. 1-7. Jean Speck seconded the motion and the motion carried.

Selectmen reports:

Glenn Sanchez:

- Any update on the Noise and Traffic request from D.O.T.?
Jean, no, I will reach out to them again.
- I did write a Hiring Policy it was late for this meeting. Keep it on the agenda.

Jean Speck:

- Need to have a conversation about the changes we need to make and updates that need to be in place so that we can have some cyber security posture.

- There is going to be some joint training, Kent and Washington, for active assailant training with the State police.
- Putting together a quick planning team meeting to discuss public safety and logistics and have a stakeholder meeting with the Land Trust, Lions, KCS, and all the folks that will be participating in creating a new model for hosting the parade.

Public Comment:

Lynn Worthington:

- Has the BoS received a copy of the BoF newly approved guidelines for the Capital Plan funds?

Jean Speck:

- That is one of those things that has fallen into the budget season cracks.
- I will get that document.

Adjournment:

Glenn Sanchez made a motion to adjourn at 6:49 P.M. Jean Speck 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
April 26, 2023 @ 4:00 P.M.

Join Zoom Meeting:	https://us02web.zoom.us/j/89413028456
Meeting ID:	894 1302 8456
One tap mobile:	+16465588656,,89413028456# US (New York)

Supporting documentation for this meeting: https://drive.google.com/drive/folders/16PyefwsdMP51enEOkfxM58hA0r9CAcTi

1. **Call to order.**
2. **Approval of minutes:**
 - 2.1. February 22, 2023, Special BoS meeting.
 - 2.2. February 22, 2023, Regular BoS meeting.
 - 2.3. March 1, 2023, Special BoS meeting.
 - 2.4. March 7, 2023, Special BoS meeting.
 - 2.5. March 9, 2023, Special BoS meeting.
 - 2.6. March 13, 2023, Special BoS meeting.
 - 2.7. March 15, 2023, Special BoS meeting.
 - 2.8. March 22, 2023, Regular BoS meeting.
 - 2.9. April 13, 2023, Special BoS meeting.
3. **Correspondence:**
 - 3.1. Social Services Quarterly Report.
 - 3.2. April 21, 2023, Email from Jodi Bogus, "Swap Shop at Transfer Station"
4. **Public Comment.**
5. **Tax Refunds.**
6. **Treasurer Report.**
7. **New Business:**
 - 7.1. Social Services request to relocate office.
 - 7.2. Approval of Streetscape Phase I change orders.
 - 7.2.1. Change Order #3.
 - 7.2.2. Change Order #4.
 - 7.2.3. Change Order #5.
 - 7.2.4. Property owner cost for reimbursement, Firefly Inn.
 - 7.3. Building Inspector contract to expire on 6/30/2023.
 - 7.4. Lake Waramaug Wake Boat informational meeting, May 1 @ 4:00p
 - 7.5. DEEP Sustainable Materials Management grant award for Food Scrap Pilot program.
 - 7.6. Homeland Security Grant Program blanket resolution
8. **Old Business:**
 - 8.1. Holiday Closure update for the Policy and Procedure Manual.

8.2. Swift House Needs Assessment update.

8.3. Right to Farm Ordinance - written request for opinion from William and Melissa Braislin.

8.4. Draft updated Tax Abatement ordinance.

8.5. Submitted updated KVFD Tax Abatement SOP.

9. Selectmen reports.

10. Public Comment.

11. Adjournment.



Joyce Kearns <adminassist@townofkentct.org>

Proposed Inland Wetlands Citation Ordinance

1 message

Tai Kern <landuseadmin@townofkentct.org>

Tue, Apr 25, 2023 at 9:54 AM

To: Jean Conlon-Speck <firstselectman@townofkentct.org>

Cc: Joyce Kearns <adminassist@townofkentct.org>

Good morning Jean,

I have attached a proposed citation ordinance that the Inland Wetlands Commission would like to be considered by the Board of Selectmen to be included on the Town Meeting Agenda. Please let me know if you are agreeable to add this to your April 26th BoS meeting agenda as a representative from the Commission and I will make ourselves available to be present for questions.

Currently, per CGS Sec. 22a-44, without any need to say so in the regulations/ordinance, penalty for wetlands violations can only be assigned by a court in a judicial proceeding. However, per Sec. 22a-42g a municipality may establish an ordinance to issue fines for violations. (Included below for your reference) The Inland Wetlands Commission requested that a proposed ordinance per Sec. 22a-42g be drafted for consideration by the Town. The attached has been vetted by our Land Use Attorney Mike Zizka and unanimously accepted by the Inland Wetlands Commission at their meeting on April 24, 2023. I think it is important to note that the intent of this proposal is to give some teeth to the Inland Wetland Regulations should it become difficult to achieve compliance once all other efforts have been exhausted.

Sec. 22a-42g. Municipal fine for violation of wetlands regulations. (a) Any municipality may establish, by ordinance, a fine for violations of regulations adopted pursuant to section 22a-42 provided the amount of any such fine shall be not more than one thousand dollars and further provided no such fine may be levied against the state or any employee of the state acting within the scope of his employment.


(b) Any police officer or other person authorized by the chief executive officer of the municipality may issue a citation to any person who commits such a violation. Any municipality which adopts an ordinance pursuant to subsection (a) of this section shall also adopt a citation hearing procedure pursuant to section 7-152c by which procedure such fine shall be imposed.

(c) Any fine collected by a municipality pursuant to this section shall be deposited into the General Fund of the municipality or in any special fund designated by the municipality.

Feel free to contact me if you have any questions.

Best regards,

Tai Kern
Land Use Administrator
Town of Kent
Land Use Office
41 Kent Green Boulevard
P.O. Box 678
Kent, CT 06757
(860) 927-4625
landuseadmin@townofkentct.org

 IWC approved draft Kent wetlands citation ordinance.pdf
114K

Proposed Inland Wetlands Watercourse Citation Ordinance

Ordinance:

Chapter 8-3 Kent Inland Wetlands and Watercourses Citation Ordinance

1. Purpose. The purpose of this ordinance is to establish an additional means by which the Town of Kent may effectively enforce its Inland Wetlands and Watercourses Regulations by the implementation of a citation procedure for the imposition of fines for violations and noncompliance with the Regulations.

2. Authority. This ordinance is authorized pursuant to Connecticut General Statutes, section 22a-42g.

3. Definitions. The following words, terms, and phrases used in this ordinance shall have the following meanings:

“Commission” means the Kent Inland Wetlands Commission, acting as the local inland wetlands and watercourses agency under section 22a-36 et seq. of the Connecticut General Statutes.

“Citation Agent” means any police officer or other person authorized by the First Selectman to issue citations in accordance with the terms of this ordinance.

“Citation Hearing Officer” means any person appointed by the First Selectman to conduct hearings in accordance with the terms of this ordinance

“Regulations” means the Inland Wetlands and Watercourses Regulations of the Town of Kent, as the same may be amended from time to time.

“Person” means any individual, persons, firm, partnership, association, corporation, limited liability company, company, organization or legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof, except that the term shall not be deemed to include the State of Connecticut or any employee of the state acting within the scope of his or her employment.

4. Issuance of citation. The Citation Agent is hereby authorized to issue citations to any person who commits a violation of the Regulations or who may otherwise be legally liable for the commission of a violation on a parcel of land. Such liability may extend, without limitation, to the owner of the subject property and his or her agents, tenants, occupants, licensees, lessees, sublessees, contractors and subcontractors, as the circumstances may provide. Each day that any violation continues shall be deemed a separate offense, for which a separate citation may be issued.

5. Delivery of citation. Any such citation may be delivered either by hand delivery or by certified mail to the person named in such citation. The Citation Agent shall retain a copy of the citation.

6. Content of citation. The citation shall inform such person: (1) of the allegations against such person and the amount of the fines; (2) that the person has a period of thirty (30) days from the date of the citation (i.e., the date of hand delivery or the date the citation was mailed) to make an uncontested payment of the fines; (3) that payments shall be made payable to the Town of Kent, at the Kent Town Hall.

7. Failure to pay. If the person cited does not pay the fine within thirty (30) days from the date of the citation, then at any time within twelve (12) months from the expiration of the thirty (30)-day period, the Citation Agent shall send a notice to the person cited, by hand delivery or certified mail, informing

such person: (1) of the allegations against the person cited and the amount of the fines; (2) that the person cited may contest liability before a Citation Hearing Officer by delivering, in person or by mail, within ten (10) days from the date of the notice, a written demand for a hearing; (3) that if the person cited does not demand such a hearing, the person shall be deemed to have admitted liability and an assessment of the fine may be issued without further notice. Any written request for a hearing or other written documentation the person cited may wish to have considered must be mailed or hand delivered to the Land Use Administrator, Kent Town Hall, 41 Kent Green Boulevard, Kent, CT 06757.

8. Amount of fine. The fine shall be one thousand dollars (\$1,000.00) per citation for activities in the wetlands or watercourses and five hundred dollars (\$500.00) per citation for activities within regulated areas or setbacks, as well as any other upland areas if such activities are found to have caused the deposition of material into, or the obstruction, construction, alteration or pollution of, any inland wetlands or watercourses.

9. Additional penalties and remedies. The fines allowed under this ordinance shall be deemed to be in addition to any fines, penalties or other remedies the Commission may be entitled to seek in accordance with the Regulations.

10. No limitation on authority. The provision of this ordinance shall not be construed to limit or alter the authority, duty and responsibility of the Commission as granted and established under Connecticut's Inland Wetlands and Watercourses Act, sections 22a-36 through 22a-45 of the Connecticut General Statutes, the Regulations, and other legislation that may apply.

11. Existing violations. Violations of the Regulations in existence at the effective date of this ordinance shall be deemed violations under this ordinance, and citations may be issued accordingly.

12. Deposit of fines. Any fine collected by the Town of Kent pursuant to this ordinance may be deposited into the Town's general fund or into any special fund the Town may establish to receive such fines, including but not limited to any land acquisition fund.

13. Wetland Citation Hearing Procedure.

(a) Establishment. There is hereby established, in accordance with Connecticut General Statutes, section 7-152c, a Wetland Citation Hearing Procedure for the Town of Kent for purposes of providing a hearing procedure under this ordinance. To the extent any of the following procedures may be determined to conflict with that statute, the provisions of the statute shall be deemed to control.

(b) Appointment of hearing officer. The First Selectman, acting within his or her capacity as chief executive officer, shall appoint one (1) or more Citation Hearing Officer(s) to conduct the hearings authorized by this ordinance, provided that no Citation Hearing Officer shall be a police officer, a Town employee, a Citation Agent, or any member or designated enforcement officer of the Commission. Such Citation Hearing Officers shall serve for a term of two (2) years, provided that the First Selectman may remove any Citation Hearing Officer at an earlier time for good cause.

(c) Any person who timely requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of notice of hearing, provided the Citation Hearing Officer may grant, upon good cause shown, any reasonable request by any interested party for postponement or continuance.

An original or certified copy of the initial notice of violation issued by the Citation Agent shall be filed and retained by the municipality and shall be deemed to be a business record within the scope of section 52-180 of the Connecticut General Statutes and evidence of the facts contained therein. The presence of the Citation Agent shall be required at the hearing if the person cited so requests. A person cited wishing to contest his or her liability may appear at the hearing and may present evidence in his or her behalf. The Citation Hearing Agent or any other designated municipal official or officials may present evidence to the Citation Hearing Officer on behalf of the Town. If the person cited fails to appear, the Citation Hearing Officer may enter an assessment by default against him or her upon a finding of proper notice and liability under this ordinance. The Citation Hearing Officer may accept copies of investigatory and citation reports and other official documents by mail and may determine thereby that the appearance of the person supplying said reports and documents is unnecessary. The Citation Hearing Officer shall conduct the hearing in the order and form and with such methods of proof, as he or she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Citation Hearing Officer shall announce his or her decision at the end of the hearing. If the Citation Hearing Officer determines that the person is not liable, he or she shall dismiss the matter and enter the determination in writing accordingly. If the Citation Hearing Officer determines that the person cited is liable for the violation, he or she shall forthwith enter and assess the fines against such person as provided by this ordinance.

To: Board of Selectmen

From: Samantha Hasenflue

Date: Mar 29, 2023

Re: Social Services Quarterly Report

Department Updates

- January 30th Director and Intern met with Outreach Coordinator from McCall Center in Torrington to discuss supports for Kent residents
- March 7th, Director and Intern attended a meet and greet informational meeting at Project Sage, formerly known as Women's Support Services
- Director and Assistant continue to meet with Kent Community Fund members as needed for guidance and follow up
- Director and Intern continue to meet for supervision as well as required meetings with School Professors

Food Bank

- Kent Food Bank is serving an average of 32-40 households a week which equates to serving about 90 individuals a week; this represents a significant increase from prior quarters where the average number of households was 24
- Foodshare orders have been made more regularly, some months orders have been made on a weekly basis
- A total of 4,968 pounds of food have been sourced through the CT Foodshare; the cost of these orders was \$438.23 and is paid for by the Kent Community Fund
- Donations to the Food Bank seem to be lower than usual; a press release was sent out and has also been shared via social media
- Alternative sources for meats and nonperishable items continue to be explored

Senior Center

- 7 lunches were served this quarter (4 hosted by Social Services and 3 hosted by Park and Rec); the number of participants at each lunch ranged from 20-45 people
- Other programs offered this quarter included a Valentine's Day Tea, Arts and Crafts, Technology Assistance, Bingo & Rummikub (hosted by Park and Rec)
- The Senior Center hosted a Technology Luncheon where State Representative Maria Horn, First Selectmen Jean Speck, representatives from Charter and students from

Marvelwood School participated in celebrating a donation of 5 chromebooks and \$2,500 towards technology programming from Charter Communications

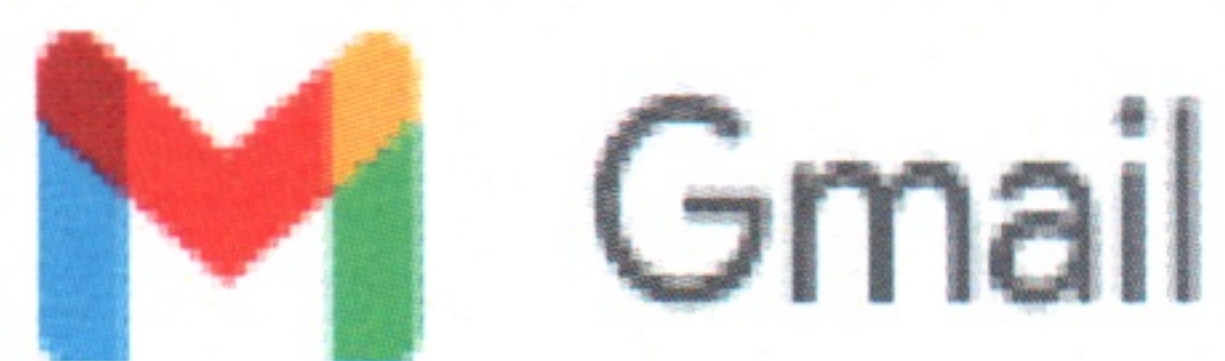
- Chair Yoga continues to have an average of 10 participants each week
- The department continues to work on tailoring Senior Center events according to feedback from center participants
- Planning and outreach continues for the Spring Fling and ARPA improvements
- 2 Senior Times Newsletters were distributed
- All 3 private schools as well as a number of local businesses continue to donate and support the Senior Center

Intern

- Carly Brill has been interning with the department since the end of January and has completed 188 hours of 400 hours to date.
- Carly has been participating in the planning and implementation of Senior Center events
- She has created a Senior Center event- the Sip n' Paint which will be held on April 20th
- Carly has been present for and involved in client case management, assisting with running the food bank

Other Programming

- Energy Assistance continues to accept applications; a total of 50 households have applied to date as compared to the 37 households that applied for the 2021-2022 season
- March 23rd, Assistant completed training for Renter's Rebate program which will open April 1st
- Camp Kent scholarship sign ups have begun and are being processed and calculated



Joyce Kearns <adminassist@townofkentct.org>

Re: swap shop at transfer station from Jodi Bogus

1 message

J <inthecountry@live.com>

Fri, Apr 21, 2023 at 12:17 PM

To: "selectmen@townofkentct.org" <selectmen@townofkentct.org>

From: J

Sent: Saturday, April 15, 2023 12:34 PM

To: First Selectman Jean Selectman <firstselectman@townofkent.org>

Subject: to Jean from Jodi Bogus

Hi Jean

I heard there was no intention for the recycle "shed" or a table to be set up at the transfer station for people to drop off items that are still good and other people can use.

Is this true? I hope not, and I know many of the Kent residents feel the same. Part of the "recycle/transfer" station is for items to be recycled. over the years I and other residents have benefited from the swap shed; craft materials, appliances, household items, garden items etc.

Looking forward to your reply.

Jodi Bogus

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 HICKS DONALD P

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.

HICKS DONALD P
HICKS PATRICIA G
96 SPOONER HILL RD
SOUTH KENT, CT 06785-1135

2021-03-0051172
51172
/AY32220/5TDBKRFH2GS326524



2021030051172

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	342.62	0.00	0.00	0.00	342.62	
Total Paid	04/10/2023	628.87	0.00	0.00	0.00	628.87	-286.25 ***
Adjusted Refund		-286.25	0.00	0.00	0.00	286.25	

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.

DONALD P. HICKS
Print Name

[Signature]
Signature of Taxpayer

4/12/23
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 286.25
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 10 DAY OF April 2023

[Signature]
DEBORAH DEVAUX

ACTION TAKEN BY GOVERNING BODY

The First Selectman, as authorized by the Board of Selectman, or
approved on the _____ day of _____ 2023. 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



GENERAL DATA MOTOR VEHICLE KENT

AS OF 04/10/2023

BILL NO: 2021-03-0051172
UNIQUE ID: 51172
LINK #: 2021-MV-0000716
FILE#: 1797985-4202194-4519187N
BANK: 18,450
ESCROW: 18,450
DMV CIVLS: 1797985-4202194-4519187N
DISTRICT: 18,450
PROP ASSESSED: 18,450
EXEMPTIONS: 18,450
COC CHANGE: 18,450
COC #: 18,450
EXEMPT Change: 18,450
NET VALUE: 18,450
DMV CIVLS: 1797985-4202194-4519187N
MILL RATE: 18.5700

HICKS DONALD P
HICKS PATRICIA G
96 SPOONER HILL RD
SOUTH KENT CT 06785-1135

NAME:
C/O:
ADDRESS:
ADDRESS2:
CITY ST ZIP:
COUNTRY:

YR/MAKE/MDL
REG/CL/ID
2016 / TOYOT / HIGHLAND
AY32220/1 / 5TDBKRFH2GS326524

ASSMNT CHANGE:
TOWN BENEFIT
REG# EXPR:
0.00

TOTALS
342.62
0.00
0.00
0.00
0.00
342.62
342.62

*** BILLED ***
INST1 TOWN
INST2 342.62
INST3 0.00
INST4 0.00
ADJS 0.00
TOT TAX 342.62
TOTAL PAID: 342.62

*** PAYMENTS ***

TYPE	CYCLE	DATE	ADJ	TERM/BATCH/SEQ	INST	AMOUNT	INTEREST	LIENS	FEES	TOTALS
Pmt	10	04/10/2023	0	89/3089/17	T	286.25	0.00	0.00	0.00	286.25
Ref	10	04/10/2023		80/3088/1	T	-286.25	0.00	0.00	0.00	-286.25
Pmt	1	07/18/2022		89/2021/43	T	342.62	0.00	0.00	0.00	342.62
Void	1	07/18/2022		89/2021/8	T	-342.62	0.00	0.00	0.00	-342.62
Pmt	1	07/18/2022		89/2021/6	T	342.62	0.00	0.00	0.00	342.62
TOTAL PAYMENTS						342.62	0.00	0.00	0.00	342.62

TOTAL BALANCE DUE AS OF 04/10/2023

INT DUE
LIEN DUE
FEES DUE
TAX DUE NOW
TOT DUE NOW
BALANCE AMT
*** FLAGS ***
Circuit Breaker Amt 0
Invalid Address Flag No
Benefit Year 0

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 KELLY JOHN N

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.

KELLY JOHN N
285B KENT RD
KENT, CT 06757-1412

2021-03-0051502
51502
/AV47604/SALAG25465A338892



2021030051502

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	88.39	0.00	0.00	0.00	88.39	
Total Paid	08/30/2022	97.35	2.65	0.00	0.00	100.00	-8.96 ***
Adjusted Refund		-8.96	0.00	0.00	0.00	8.96	

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.

John N. Kelly
Print Name

[Signature]
Signature of Taxpayer

01-10-23
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 8.96
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 October 2022

[Signature]
DEBORAH DEVAUX

ACTION TAKEN BY GOVERNING BODY

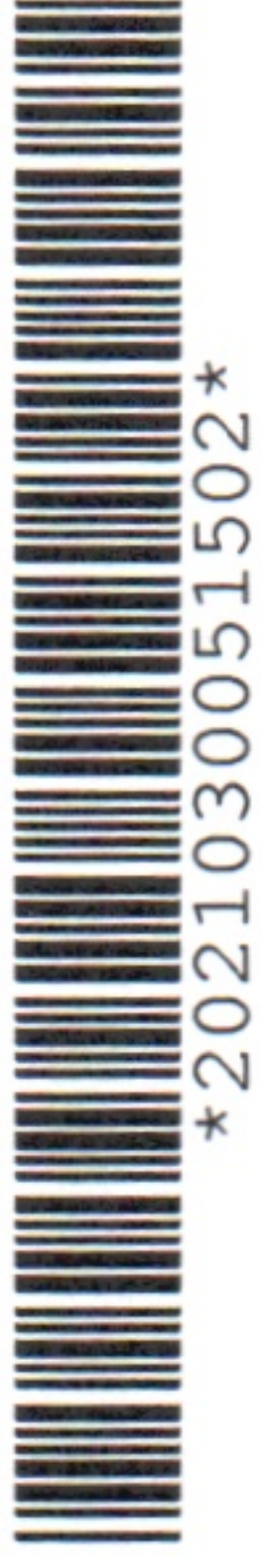
The First Selectman, as authorized by the Board of Selectman, or
approved on the _____ day of _____ 2022. It was voted to refund
Property Taxes and Interest amounting to \$ _____ to _____.

First Selectman

Other Governing Body

Clerk

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



GENERAL DATA MOTOR VEHICLE KENT

AS OF 10/31/2022

BILL NO: 2021-03-0051502
UNIQUE ID: 51502
LINK # 2021-MV-0000871
FILE#
BANK:
ESCROW:
DMV CIVLS: 3708294-5620818-N
DISTRICT:
PROP ASSESSED: 4,760
EXEMPTIONS:
COC CHANGE:
COC #:
EXEMPT Change:
NET VALUE: 4,760
DMV CIVLS: 3708294-5620818-N
MILL RATE: 18.5700

NAME: KELLY JOHN N
C/O:
ADDRESS: 285B KENT RD
ADDRESS2:
CITY ST ZIP: KENT CT 06757-1412
COUNTRY:
YR/MAKE/MDL REG/CL/ID
2005 / LAND / LR3 HSE
AV47604/1 / SALAG25465A338892
ASSMNT CHANGE:
TOWN BENEFIT
REG# EXPR: 0.00

*** BILLED ***

INST1 TOWN 88.39
INST2 0.00
INST3 0.00
INST4 0.00
ADJS 0.00
TOT TAX 88.39
TOTAL PAID: 88.39

TOTALS
88.39
0.00
0.00
0.00
0.00
88.39
88.39

*** PAYMENTS ***

TYPE CYCLE DATE
Ref 4 10/31/2022
Pmt 2 08/30/2022 O

ADJ
TERM/BATCH/SEQ INST
80/3049/1 T
89/3020/6 T

AMOUNT
-8.96
97.35

INTEREST
0.00
2.65

FEES
0.00
0.00

TOTALS
-8.96
100.00

TOTAL PAYMENTS

91.04

TOTAL BALANCE DUE AS OF 10/31/2022

TOWN
INT DUE 0.00
LIEN DUE 0.00
FEES DUE 0.00
TAX DUE NOW 0.00
TOT DUE NOW 0.00
BALANCE AMT 0.00

*** FLAGS ***
Circuit Breaker Amt 0
Invalid Address Flag No

Benefit Year 0



TOWN OF KENT

Social Services

March 24, 2023

Dear Kent Board of Selectmen,

I wanted to discuss finding alternative office space for our department. Specifically, I would recommend our office move into the large office used by the Registrars once a week. Because there are often two staff members and an intern in our current small office, our space is very tight and limits our effectiveness. I anticipate having 3 of us working in our office for the foreseeable future.

During Leah Pullaro's tenure and since the Social Services Director position was made full-time, more and more people are approaching our office for assistance. However, the very busy and public current location, where people are required to wait in the congested hallway outside the First Selectman's and Park and Recreation Office, is off-putting to some people and may discourage them from seeking help. The current office location is creating an issue of both noise and confidentiality, leading us to ask to move to a quieter space while still ensuring that our space and our clients are secure. Our goal and, we believe, the goal of the Selectmen and Town, is to maximize access to our office by those who need our services while maintaining their confidentiality and dignity.

A larger office would allow us to keep some of the more popular medical equipment items on hand instead of people stopping at Town Hall and then having to go over to the Community House. Finally, the plan is for us to have 2 phones in the office as well and a larger office would allow Rosemary and I to make phone calls simultaneously.

I appreciate your time and consideration on this matter and would like a response to this matter by May 1st so we can plan for the future.

Thank you,

Samantha Hasenflue
Samantha Hasenflue

"This institution is an equal opportunity provider and employer."

41 Kent Green Boulevard, P.O. Box 678 · Kent, CT 06757-0678

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



Joyce Kearns <adminassist@townofkentct.org>

Mather Change Orders and Property Owner Additional costs

1 message

Barbara Herbst <treasurer@townofkentct.org> Tue, Mar 28, 2023 at 2:43 PM
To: Joyce Kearns <adminassist@townofkentct.org>, Barbara Herbst <treasurer@townofkentct.org>, Rick Osborne <publicworks@townofkentct.org>

Hi Joyce,

As a housekeeping item and to keep the activity and processes consistent with the prior Change Orders from Mather Corporation that were approved for Streetscape Phase I, please add the attached Change Orders #3, #4, and #5 for Phase I of the Streetscape project to the next BoS meeting for formal consideration and approval by the Board. These change orders total \$61,766.33

The documents for the meeting are just page #1 of each Purchase Order.
However, also attached is each Purchase Order with all pages for reference.

Additionally, below is a list of private property owners that requested additional work by Mather to help improve the transition from the sidewalks in front of their property to their buildings.
Please verify that these upcharges were approved by the BoS and if any were not, please add those to the agenda for approval as well.
Each individual property owner will be invoiced for their share of these upcharges.

The property owner costs for reimbursement are:

- Fife and Drum = \$2,325.00 – 155 sf of concrete at 15\$/sf
- Villager Restaurant = \$4,650.00 – 310 sf of concrete at 15\$/sf
- Kent Wine Shop = \$2,625.00 – 175 sf of concrete at 15\$/sf
- Firefly Inn = 2,815.00 – removal of installed curb and installation of 31 sf of concrete driveway at 20\$/sf


Total Project Cost to be Reimbursed by private property owners = \$(12,415.00)





Barbara E Herbst
Treasurer, Town of Kent
860 927 0109 | treasurer@townofkentct.org
PO Box 678
Kent CT 06757
<https://www.townofkentct.org/>
  


 [Click to schedule a meeting](#)

6 attachments


 **#5_Change Order_Mather_Pg 1.pdf**
144K

 **#4_Change Order_Mather_Pg 1.pdf**
78K

 **#3_Change Order_Mather_Pg 1.pdf**
80K

 **3.28.23 Change Order #4_ Signed.pdf**
290K

 **3.28.23 Change Order #5_ Signed.pdf**
5820K

 **3.28.23 Change Order #3_ Signed.pdf**
2367K



CHANGE ORDER NUMBER: 03

Project: Kent Village Streetscape Improvements

Date of Issuance: 10/27/2022

Owner: Town of Kent

Contractor: Mather Corporation

Engineer: SLR Consulting, Inc.

99 Realty Drive

Cheshire, CT 06410

Effective Date: **10/28/2022**

Owner's Project #: n/a

Contractor For: Prime

Engineer's Project #: 15011.00004

You are directed to make the following changes in the Contract Documents.

Description: Per directive from DOT remove and replace loop detectors at Rt 341 westbound traffic light and adjust height of two pedestrian push buttons.

Attachments: Refer to Contractor submitted files and correspondence attached.

CHANGE IN CONTRACT PRICE:

Original Contract Price: \$1,762,000.00

Net Changes From Previous Change Orders: \$97,695.00

Contract Price Prior to This Change Order: \$1,859,695.00

Net Increase of This Change Order: \$23,939.86

Contract Price with All Approved Change Orders: \$1,883,634.86

CHANGE IN CONTRACT TIME:

Original Contract Time: 180
days or date

Net Change From Previous Change Orders: 0
days

Contract Time Prior to This Change Order: 180
days or date

Net Increase (Decrease) of This Change Order: 0
days

Contract Time with All Approved Change Orders: 180
days or date

RECOMMENDED:

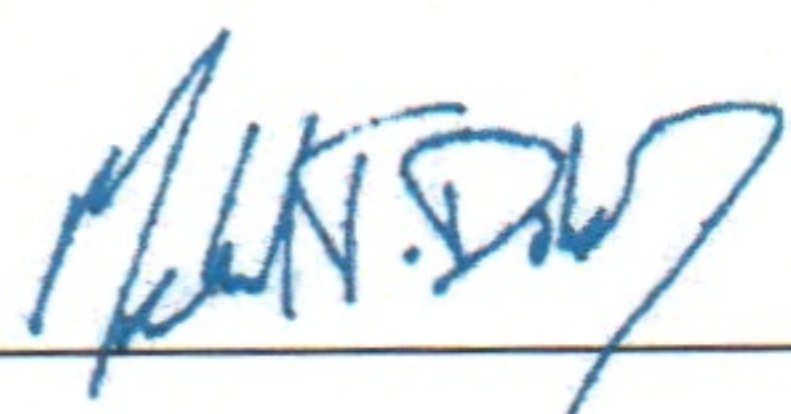
By: Mike Dias, Mather Corp.

APPROVED:


By: Michael T. Doherty, PLA

ACCEPTED:

By: Jean C. Speck, First
Selectman

Engineer (authorized signature) 

Date: 11/7/2022

Owner (authorized signature) 

Date: 03.28.2023

Contractor (authorized signature) Michael Dias Digitally signed by Michael Dias
Date: 2022.11.08 07:24:35 -05'00'

Date: 11/8/22



CHANGE ORDER NUMBER: 04

Project: Kent Village Streetscape Improvements

Date of Issuance: 10/27/2022

Owner: Town of Kent

Contractor: Mather Corporation

Engineer: SLR Consulting, Inc.
99 Realty Drive
Cheshire, CT 06410

Effective Date: **10/28/2022**

Owner's Project #: n/a

Contractor For: Prime

Engineer's Project #: 15011.00004

You are directed to make the following changes in the Contract Documents.

Description: Per directive from the DOT encroachment permit all sawcut joints shall be sealed.

Attachments: Refer to Contractor submitted files and correspondence attached.

CHANGE IN CONTRACT PRICE:

Original Contract Price: \$1,762,000.00

Net Changes From Previous Change Orders: \$121,634.86

Contract Price Prior to This Change Order: \$1,883,634.86

Net Increase of This Change Order: \$13,449.17

Contract Price with All Approved Change Orders: \$1,897,084.03

CHANGE IN CONTRACT TIME:

Original Contract Time: 180
days or date

Net Change From Previous Change Orders: 0
days

Contract Time Prior to This Change Order: 180
days or date

Net Increase (Decrease) of This Change Order: 0
days

Contract Time with All Approved Change Orders: 180
days or date

RECOMMENDED:

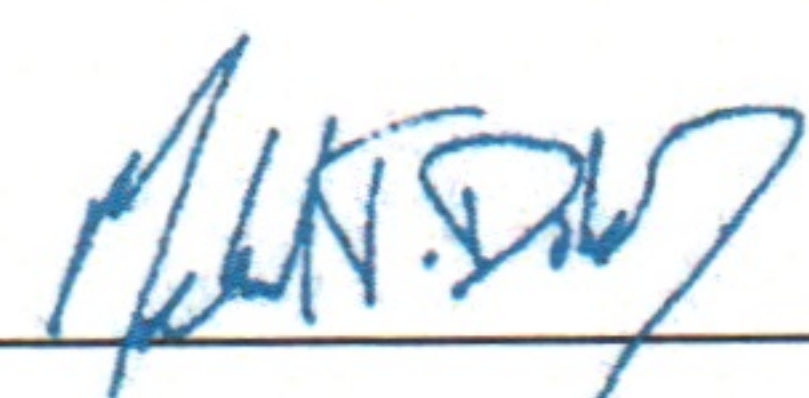
By: Mike Dias, Mather Corp.

APPROVED:


By: Michael T. Doherty, PLA

ACCEPTED:

By: Jean C. Speck, First
Selectman

Engineer (authorized signature) 

Date: 11/07/2022

Owner (authorized signature) 

Date: 03.28.2023

Contractor (authorized signature) Michael Dias Digitally signed by Michael Dias
Date: 2022.11.08 07:27:38 -05'00'

Date: 11/8/22



CHANGE ORDER NUMBER: 05

Project: Kent Village Streetscape Improvements

Date of Issuance: 03/27/2023

Owner: Town of Kent

Contractor: Mather Corporation

Engineer: SLR Consulting, Inc.
99 Realty Drive
Cheshire, CT 06410

Effective Date: **03/27/2023**

Owner's Project #: n/a

Contractor For: Prime

Engineer's Project #: 15011.00004

You are directed to make the following changes in the Contract Documents.

Description: Summary change order of approved time and material (T&M) items completed to date.

Attachments: Refer to summary table attached.

CHANGE IN CONTRACT PRICE:

Original Contract Price: \$1,762,000.00

Net Changes From Previous Change Orders: \$135,084.03

Contract Price Prior to This Change Order: \$1,897,084.03

Net Increase of This Change Order: \$24,377.30

Contract Price with All Approved Change Orders: \$1,921,461.33

CHANGE IN CONTRACT TIME:

Original Contract Time: 180
days or date

Net Change From Previous Change Orders: 0
days

Contract Time Prior to This Change Order: 180
days or date

Net Increase (Decrease) of This Change Order: 0
days

Contract Time with All Approved Change Orders: 180
days or date

RECOMMENDED:

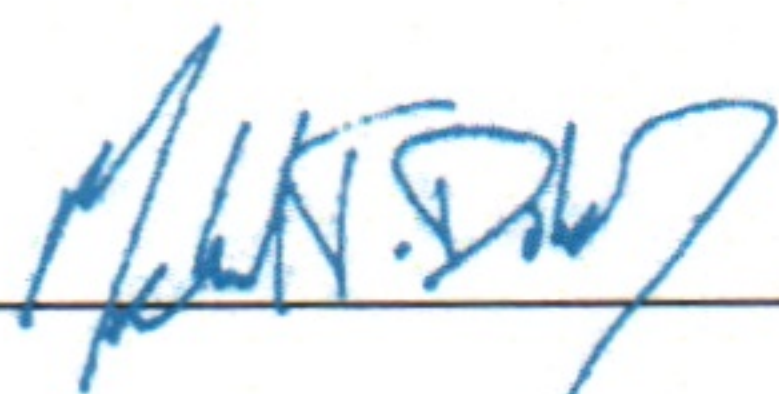
By: Mike Dias, Mather Corp.

APPROVED:


By: Michael T. Doherty, PLA

ACCEPTED:

By: Jean C. Speck, First
Selectman

Engineer (authorized signature) 

Date: 03/27/2023

Owner (authorized signature) 

Date: 03.28.2023

Contractor (authorized signature) Michael Dias Digitally signed by Michael Dias
Date: 2023.03.28 07:36:45 -04'00'

Date: 3/28/2023

**PROPOSAL
CONTRACT FOR SERVICES
BETWEEN TOWN AND THE CODE OFFICIAL**

FOR APPOINTMENT OF FOUR YEARS JULY 1, 2019 THROUGH JUNE 30, 2023
IN ACCORDANCE WITH SEC. 29-260 OF THE GENERAL STATUTES OF CONNECTICUT.

This Contract is entered into as of the 1st day of July 2019, by and between the Town of Kent, acting herein by the First Selectman hereunto duly authorized, hereinafter known as the TOWN, and Joseph E. Manley of 113 Above All Road, Warren, Connecticut, hereinafter known as MANLEY.

WITNESSETH:

WHEREAS, MANLEY has been appointed by said TOWN as the Municipal Code Official pursuant to the State Building Code, as amended by Public Act 443 of the 1969 General Assembly; and

WHEREAS, MANLEY and the TOWN desire to enter into a general agreement to govern all services rendered to the TOWN by MANLEY pursuant to his duties as such Code Official for said TOWN.

NOW, THEREFORE, in consideration of the foregoing, and of the mutual promises herein contained, the parties do hereby mutually covenant and agree as follows:

**ARTICLE I
STATEMENT OF SERVICES**

1. The term of the Contract shall be from the date hereof and, therefore, will be up for renewal on June 30, 2023.
2. Commencing with the date hereof, for the term of the Contract, MANLEY shall perform the duties and services of a Code Official pursuant to the State Building Code, as amended as aforesaid, for said TOWN.
3. MANLEY shall perform said duties and services as needed by said TOWN and shall at all times maintain sufficient tools and equipment as may be needed to perform the duties and services of said Code Official.
4. MANLEY agrees that he shall diligently pursue any and all courses of instruction required of him to maintain his certification as a Code Official pursuant to the State Building Code, as amended, to the date hereof.
5. MANLEY shall engage the necessary qualified assistants who shall be approved for appointment by the TOWN. MANLEY shall pay the cost of said assistants.

**ARTICLE II
PAYMENT FOR SERVICES**

1. The TOWN will pay MANLEY for services rendered as the Code Official at the rate of 85% OF THE BUILDING PERMIT FEES and 85% OF THE FEE VALUE of any permit fee waived by the TOWN. The First Selectman shall be the only authorized person to waive fees. Notwithstanding the foregoing, the parties agree that the Town reserves the right to reopen this compensation provision and adjust the percentage rate downward in the event the BUILDING PERMIT FEES are increased during the term of this appointment.
2. Payment as aforesaid shall be made to MANLEY by the TOWN only after receipt by said TOWN of a true itemized bill for services and expenses submitted by MANLEY to the TOWN. Payment of each bill shall be made by the TOWN within a reasonable time from receipt of the same.

3. MANLEY shall keep accurate records of his services as said Code Official and make available said records to the TOWN within ten (10) days of his receipt of a written request from the TOWN to inspect said records.
4. Building permit fees will be reviewed annually.

ARTICLE III

ADDITIONAL TERMS AND CONDITIONS

1. The TOWN shall maintain appropriate insurance to secure and protect MANLEY from any liability, loss and/or damage arising out of the performance of his duties and services as said Code Official in accordance with C.G.S. Sec. 29-262.
2. The TOWN shall provide office space for MANLEY for the performance of his duties and services as the Code Official.
3. The TOWN shall provide a clerk to MANLEY for the performance of his duties.
4. MANLEY shall provide the forms necessary to conform with the provisions of the State Building Code and shall make the same available to the public at said TOWN office.
5. Whenever required by any Federal or State law or regulation, MANLEY shall withhold as such amounts as may be required by the same from payment to himself and his employees for his services.
6. The TOWN shall provide a computer and the required hardware and MANLEY shall provide the required software for the KENT office.
7. A record of all building permits will be maintained in the TOWN'S computer with back up disks.

ARTICLE IV

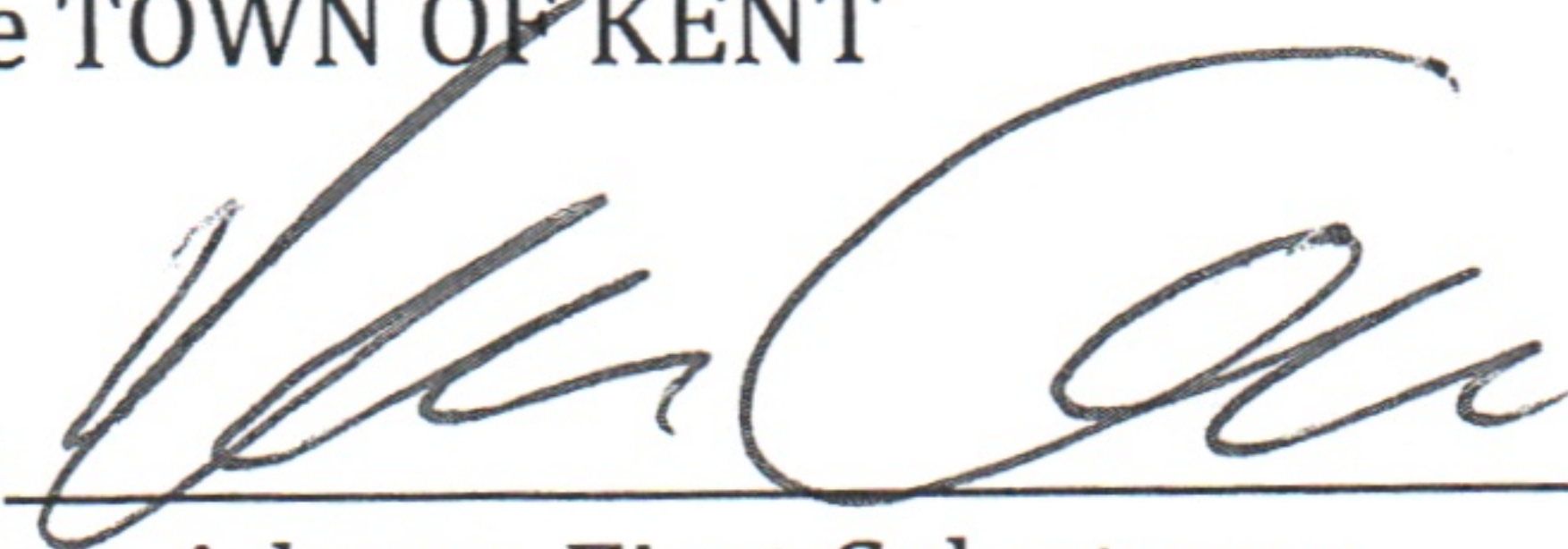
TERMINATION OF CONTRACT

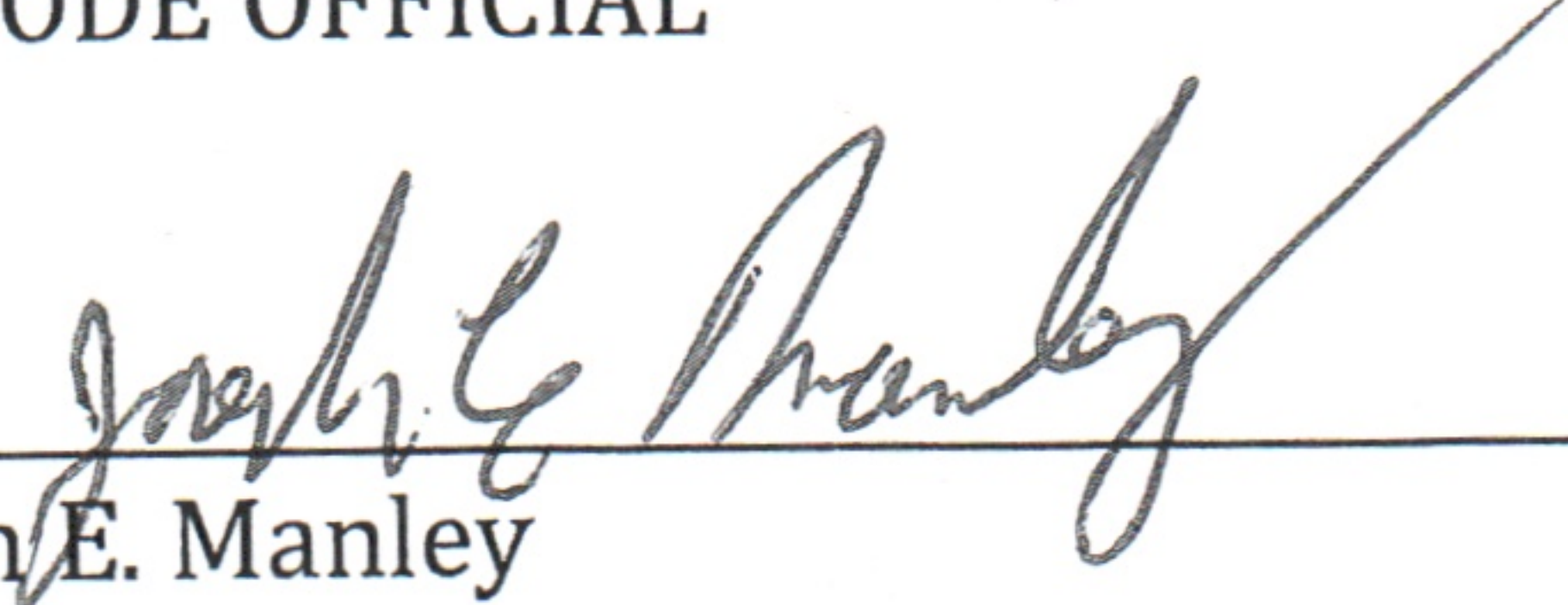
1. If MANLEY at any time refuses or fails to meet the duties or perform the services required of him as the Code Official herein with reasonable promptness and diligence within said TOWN, or if MANLEY fails to satisfy any standards, requirements, or conditions of the State Building Code, the TOWN may terminate this Contract following notice and hearing as contemplated by Section 29-260 CGS. The termination shall be effective as of the date and time determined by the First Selectman and shall not prejudice any claims the TOWN may have against MANLEY for breach of this Contract or otherwise. Upon receipt of notice of termination, Manley shall immediately desist from performing duties or services under this contract.
2. This Contract may be amended at any time by mutual agreement of the parties hereto.

IN WITNESS WHEREOF, the TOWN and MANLEY have hereunto affixed their signatures the day, month, and year first above written.

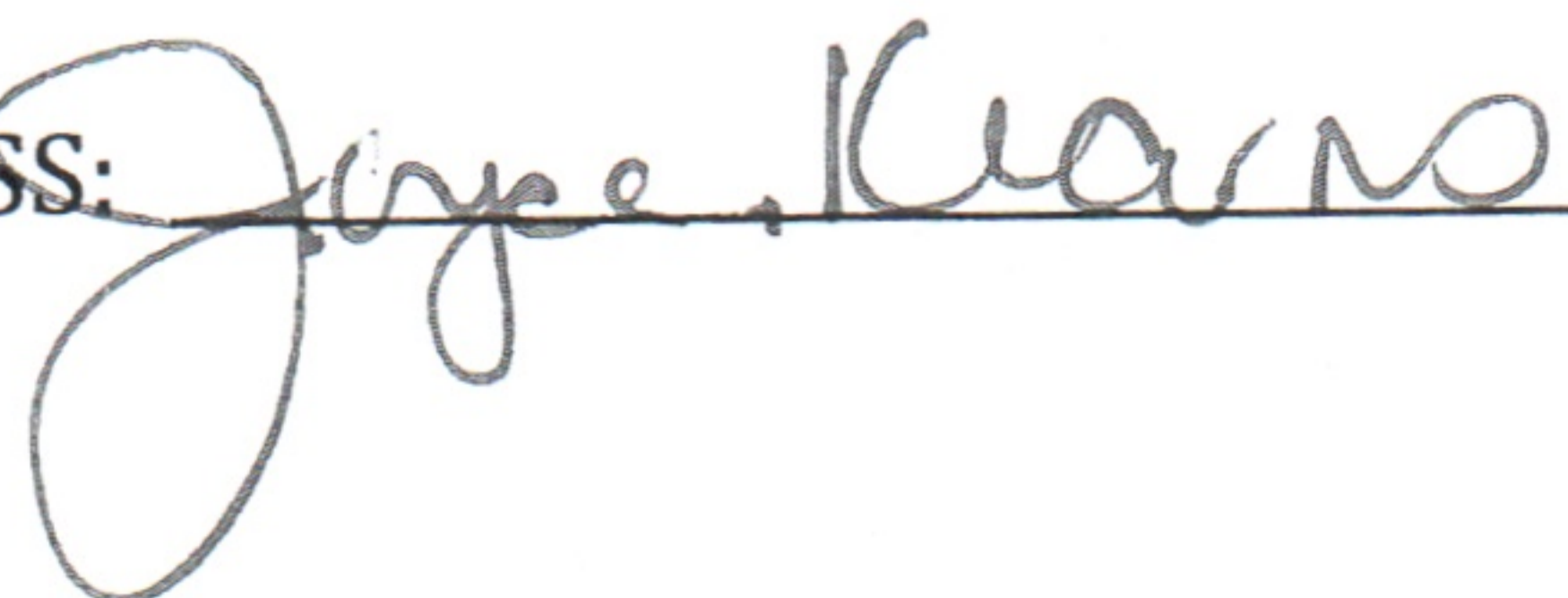
The TOWN OF KENT

THE CODE OFFICIAL

By: 
Bruce Adams, First Selectman

By: 
Joseph E. Manley

WITNESS:





KENT CONSERVATION COMMISSION

Kent Town Hall, 41 Kent Green Boulevard, Kent, Connecticut 06757

April 26, 2023

Kent Board of Selectmen, via email

firstselectman@townofkentct.org

rderham@townofkentct.org

Glennsanchez@townofkentct.org

Kent's Right to Farm Ordinance – Please read this letter into the record

Dear Selectmen Speck, deRham, and Sanchez,

In 2015, the Town of Kent upon recommendations within its Plan of Conservation and Development, with the endorsement of the Planning and Zoning and Conservation Commissions and of the Board of Selectmen, and after review by Kent's Town Attorney, adopted a Right to Farm Ordinance with the purpose and intent to promote and advance the Town's stated policy "to conserve and protect agricultural land and to encourage agricultural operations and the sale of farm products within the Town", and "reduce the loss of agricultural resources by limiting circumstances under which any such operation may be considered a nuisance."

How ironic that the two times since 2015 that the Ordinance has been raised publicly (both within the past year), have been attempts by non-farmers to hoodwink town leadership into taking action *against* farmers - action which couldn't even be taken in a dispute between non-farming residents.

Simply stated, Kent's Right to Farm ordinance offers protection to farmers for things that might otherwise constitute an *appropriately-raised* nuisance claim. Kent – having no noise or blight ordinance – doesn't offer *any* resident the opportunity to have our Board of Selectmen play King Solomon when they disagree with their neighbor on noise or how they keep their yards.

In the event Kent did allow this kind of complaint, Right to Farm precludes such an opportunity when the person making noise, odor, or with farm equipment or buildings on their property is a farmer.

You can easily see how, paradoxically, the Board of Selectmen's intervention, indeed their very entertainment of the last two complaints does farmers double jeopardy – by erroneously considering them subject to a nonexistent nuisance ordinance and then forcing them to participate in a vague sort of mediation-like balancing of interests prohibited by the Right to Farm Ordinance because of the farmer's farm and farming.

Last Wednesday, April 19th First Selectman Jean Speck asked the Kent Conservation Commission during its Regular Meeting to revise the Right to Farm Ordinance to clarify how it is meant to operate and when the Board of Selectmen should properly accept a complaint. We plan to discuss this revision in our May meeting. If we reach a consensus that revisions should be made we will forward to Planning and Zoning and to the Board of Selectman our recommended changes and rationale therefore. We respectfully request that the Board of Selectmen stay further action on the matter until that time.

Sincerely,

Connie A. Manes, Chair, Kent Conservation Commission

Sec. 18-7. Tax Abatement for Volunteer Emergency Services Personnel

Section 18-7 of the Town of Kent Code of Ordinances is repealed and the following is substituted therefor.

Pursuant to the provisions of Connecticut General Statutes (CGS) Sec. 12-81w:

1. Volunteer firefighters, emergency medical technicians, paramedics and ambulance drivers of the Kent Volunteer Fire Department who reside in or pay property tax to the Town of Kent shall be eligible for an abatement in property taxes in an amount not to exceed the amount as may be authorized by CGS section 12-81w, as from time to time amended, due for any fiscal year when meeting the following criteria:

a. Volunteer firefighters, emergency medical technicians, paramedics and ambulance drivers must complete their probationary period by December 31 of the current year to be eligible for tax abatement on July 1 of the following year; and

b. Volunteer firefighters, emergency medical technicians, paramedics and ambulance drivers must have met the eligibility requirements established by the Kent Volunteer Fire Department in Standard Operating Procedure 1-7, TAX ABATEMENT ELIGIBILITY (KVFD SOP 1-7), as hereafter amended, from time to time.

2. Annually, on or before January 31 of each year, the Personnel Committee of the Kent Volunteer Fire Department (KVFD) shall submit and deliver to the Board of Selectmen, (BOS) by hand delivery or by e-mail, a list certified under oath identifying each volunteer firefighter, emergency medical technician, paramedic and ambulance driver eligible for tax abatement as of December 31 of the previous calendar year. This list shall contain the full name and address, and criteria upon which eligibility is based for each such volunteer. At its next regularly scheduled meeting, the BOS shall acknowledge receipt of the certified list.

3. Abatement of property taxes for those eligible volunteers set forth on the list submitted to the Board of Selectmen shall be applied against the property tax bills assessed as of the October 1 Grand List of the listed eligible volunteers in an amount determined by the Board of Selectmen in consultation with the KVFD Personnel Committee, not to exceed the amount as authorized by CGS section 12-81w, as from time to time amended.

Provided however:

a. Said tax bills are due and payable on the fiscal year commencing the following July 1.

b. Any person eligible for such tax abatement each year may accept or decline the tax abatement by March 1 of the calendar year in which such bills become due and payable in accordance with procedures, adopted by the Assessor of the Town of Kent for such purpose. The tax abatement under this Ordinance shall be applied first against any real property tax owed by an eligible volunteer to the Town of Kent. In the event that the tax to which the abatement is applied is paid in installments, then the abatement amount shall be applied against the total due and payable.

4. In the event the KVFD Personnel Committee intends to materially amend SOP 1-7, the Personnel Committee shall notify the BOS, in writing, of its intent to amend so as to consult and collaborate with the BOS on the intended amendment. The BOS, or a delegation therefrom, and KVFD Personnel Committee delegates shall meet within Thirty (30) days of said notification and shall discuss

the intended amendments. Following such meeting, the KVFD Personnel Committee shall submit by delivery of a hard copy or an e-mail of the amended SOP to the BOS within thirty (30) days of adoption of the amendment by KVFD members. The failure of the Board of Selectmen to act on the amended KVFD SOP 1-7 within thirty-five (35) days following official submission shall result in approval of the KVFD SOP 1-7, as amended. The date of "official submission" shall be the date that written notice is received as hereinabove stated. A copy of KVFD SOP 1-7, approved by the Board of Selectmen, shall be on file at all times in the Office of the Town Clerk.

5. The tax abatement granted by virtue of this ordinance shall be applicable for any real property or personal property of an eligible volunteer, whether such property is owned individually, jointly, or as a tenant in common with one or more other persons.

6. The Tax Collector of the Town of Kent shall maintain a record of all taxes abated in accordance with this ordinance.

History: Adopted at Annual Budget Meeting May 19, 2002, effective June 17, 2002 on applicable taxes due on Grand List of 10/1/01 and thereafter.

KENT VOLUNTEER FIRE DEPARTMENT

SOP 1-7

Revised February 2003

Revised June 2014

Revised June 1, 2015

Revised January 3, 2023

TAX ABATEMENT

1. Purpose: To establish standards by which the Kent Volunteer Fire Department will certify to the Town of Kent which of its members are eligible for tax abatement in any given year.
2. Procedure:
 - A. The Personnel Committee, for the year of the Tax Abatement being reviewed and the current Personnel Committee shall meet in January each year to review membership.
 - B. Members who have achieved the following during each calendar year will be eligible for the maximum \$2,000 tax abatement:
 - 1) Completed probationary period and be an active emergency member, as defined in the Kent Volunteer Fire Department Constitution and By-laws.
 - 2) Compiled a total of 60 points, according to the KVFD Point System. (Attachment 1-7.1)
 - a) Points must be earned from each of 3 categories- Continuing Education, Administration, and Emergency Response.
 - b) Discretionary points may be awarded by the Personnel Committee upon annual review of each member's participation.
 - C. Any member who has served at least 20 years of active emergency service to KVFD and has been eligible to receive the abatement for 15 years, shall be entitled to \$1,000 annual abatement of property taxes for as long as they reside and/or pay property tax in Kent.
 - D. If a member is dismissed from the department, the member shall not be eligible for the tax abatement.
 - E. A list of the KVFD members eligible for tax abatement for the following July shall be submitted by a majority vote of the two Personnel Committees to the Town of Kent by January 31. This list shall contain the addresses and the amount for which each member is eligible (see Attached Form 1-7.2)
 - F. The KVFD Records Clerk will update the members on a quarterly basis of points earned.
 - G. KVFD will notify the Board of Selectmen within 30 days of changing this SOP and/or the attached point system.
3. Records:
 - A. Point System of KVFD Attachment 1-7.1
 - B. The Tax Abatement list will be developed annually by the two Personnel Committees on those members eligible for tax abatement. Attached Form 1-7.2

Point System of KVFD

Activity	<u>Points</u>
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Category #1 Continuing Education

Note: points awarded for year in which test is successfully completed.

Points awarded for educational classes will be as per hour requirements of the state for both fire and EMS certifications.

Course/training up to 1 hour	1
Course/training 2 to less than 5 Hours	2
Course/training 5 to less than 10 Hours	3
Course/training 10 to less than 20 Hours	5
Course/training 20 to less than 40 Hours	10
Course/training 40 Hours +	20
Course/training- organize/lead (non-line officer or appointed training position) (in addition to attendance point)	1

Category #2 Administration

Monthly Department Meeting	2
Monthly EMS Meeting	1
Monthly Executive Committee Meeting (no point for EC members)	1
Chair committee/lead event/detail	1
Participate in committee/event/detail (per non-emergency attendance)	1

Elected/Appointed Positions

Executive Committee	25
Engineer	20
Appointed positions	20

Category #3 Emergency Response

KVFD fire or ambulance emergency response per emergency attendance	2
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Points must be earned from each of the 3 category areas above.

Discretionary

At the discretion of the personnel committee

Up to 25

Note: Points do not carry over into other years.

Total Needed for Abatement:	60
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