

RECEIVED

By Darlene Brady at 3:38 pm, Dec 29, 2021



Board of Selectmen
Special Meeting

December 22, 2021
11:00 A.M.

Present: Jean Speck, Glenn Sanchez and Rufus deRham.

Also, present: Joe Agli, Darlene Brady, Melissa Cherniske, Jen Dubray, Ruth Epstein, John Grant, Donna Hayes, Rob Hayes, Barbara Herbst, Traci Howard, Caitlyn Lynch, Connie Manes, Patricia Oris, Rick Osborne, Leah Pullaro, Matt Starr and Lynn Worthington.

Call to order:

Jean Speck called the meeting to order at 11:00 a.m.

Review and discuss ARPA funding, the ARPA committee's charge, and the role of the Board of Selectmen and the Board of Finance regarding ARPA funding:

Jean Speck screen shared a Power Point slide presentation (attached).

Connie Manes stated that she had envisioned the ARPA committee would make that presentation to both the Bos and BoF in the near future.

Review and amend decisions regarding the two expenditures from the December 14th Board of Selectmen meeting:

Glenn Sanchez stated he felt that he needed additional time to review all of the information provided at the December 14, 2021 BoS meeting regarding ARPA. He added that the information was not in the shared google file to be reviewed prior to the meeting.

Rufus DeRham also expressed his concern with the lack of information prior to the meeting.

Glenn Sanchez made a motion to rescind the motion made at the December 14th Board of Selectmen meeting to allow up to \$12,000 to purchase and install the necessary equipment in the large meeting room to conduct hybrid meetings using ARPA funds. Jean Speck seconded the motion. Jean Speck called for discussion:

Connie Manes

- Heard lack of information referenced a couple of times in this meeting.
- There was mention of the Emergency Management team submitting a proposal to the ARPA committee on October 13th.
- The Emergency Management team never submitted a proposal, other groups have.
- Prevailing theme of ARPA committee was participation – all members participated.

- ARPA committee wanted to see what the data showed prior to making any decisions.
- The ARPA committee was willing to hear the Emergency Management proposal.
- No allocations of funds until they had a full understanding of the needs of the Town.
- Jean's pet projects jumped the line.
- The process is very broken.

Joe Agli also expressed his concern with ARPA funds being used without any information being shared with the ARPA committee.

Jean Speck called for the vote. All three selectmen voted yes. The motion carried.

Glenn Sanchez made a motion to rescind the motion made at the December 14th Board of Selectmen meeting to spend \$24,000 from the ARPA fund to pay for the budget, as presented by the Emergency Management Team. Jean Speck seconded the motion. Jean Speck called for discussion:

Rufus DeRham:

- Believes Emergency Management should be funded.

Donna Hayes:

- The Emergency Management proposal was not included in the ARPA survey.
- BoS should look at the ARPA funding closely, some of the proposal is for operating expenses.
- What would happen to the money returned via grants, would it go into the general fund?

Jean Speck:

- The fact that the Emergency management proposal did not go to the ARPA committee was her fault, oversight.

Jean Speck called for the vote. Glenn Sanchez and Rufus DeRham voted yes. Jean Speck abstained. The motion carries.

Review and accept resignation of two members of the ARPA needs assessment committee; Connie Manes and Patricia Oris:

Jean Speck stated that she had sent an email to Glenn and Rufus approximately 20 minutes prior to the meeting. She is stepping off the committee.

Jean Speck made a motion to table this item. Glenn Sanchez seconded the motion and the motion carried.

Review and appoint new members to the ARPA needs assessment committee if necessary:

Jean Speck asked Connie Manes if she would reconsider and stay on the ARPA committee? Connie Manes declined.

Jean Speck asked Patricia Oris if she would reconsider and stay on the ARPA committee? Patricia Oris agreed to stay on the ARPA committee.

Rufus DeRham made a motion to appoint Glenn Sanchez and reappoint Patricia Oris to the ARPA committee. Jean Speck seconded the motion and the motion carried.


Jean Speck made a motion to move agenda item number 4 to be heard after item number 5. Rufus DeRham seconded the motion and the motion carried.

Jean Speck made a motion, with sadness, we accept the resignation of Connie Manes from the ARPA Needs Assessment committee. Glenn Sanchez seconded the motion and the motion carried.

Rufus DeRham made a motion to in arrears accept Patricia Oris's letter of resignation. Jean Speck seconded the motion and the motion carried.

Adjourn:

Jean Speck adjourned the meeting at 12:13 p.m.


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 of these minutes.

RECEIVED

By Darlene Brady at 10:37 am, Dec 20, 2021



BOARD OF SELECTMEN
Special Meeting Agenda
December 22, 2021
11:00 A.M.

Meeting ID: <https://us02web.zoom.us/j/84576065411>

Meeting ID: 845 7606 5411

One tap mobile; +16465588656,,84576065411# US (New York)

Supporting documentation for this meeting:

<https://drive.google.com/drive/folders/1oV99jI89QNlBVv7dpzXlvt0BbdcUHafR>

1. Call to order.

2. Review and discuss ARPA funding, the ARPA committee's charge, and the role of the Board of Selectmen and the Board of Finance regarding ARPA funding.

3. Review and amend decisions regarding the two expenditures from the December 14th Board of Selectmen meeting.

4. Review and accept resignation of two members of the ARPA needs assessment committee; Connie Manes and Patricia Oris.

5. Review and appoint new members to the ARPA needs assessment committee if necessary.

6. Adjourn.

The background of the entire page is a solid blue color. Overlaid on this background is a large, abstract graphic consisting of numerous thin, white, wavy lines. These lines originate from the left side of the page and curve towards the right, creating a sense of motion and depth. The lines are more densely packed in some areas, creating a darker blue effect, while in other areas they are more spread out, showing the lighter blue background.

THE AMERICAN RESCUE PLAN ACT (ARPA)

Coronavirus State and Local Fiscal Relief Recovery Funds

HIGHLIGHTS FROM CCM ARPA TOOLKIT

HOW MUCH? A total of \$65.1 billion to municipalities across the country

- \$2.55 billion to CT
- \$1.56 billion to general government
- \$995 million to boards of education
- Kent will receive \$821,854.77 in two tranches – 1st tranche was received 60 days after enactment (May 2021); 2nd tranche will come one year later

WHEN DOES IT HAVE TO BE SPENT BY? Funds must be obligated by December 2024

CCM ARPA Toolkit: https://www.ccm-ct.org/Portals/CCM/PDF/ARPA/ARP_Toolkit_2021.pdf?ver=hl7Hkg7dU2xeJl4g-Ataq%3d%3d
US Treasury ARPA FAQ: <https://home.treasury.gov/system/files/2020/SLERFAQ.pdf>

FUNDING OBJECTIVES



Support Public Health Response

Fund COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff



Address Negative Economic Impacts

Respond to economic harms to workers, families, small businesses, impacted industries, and the public sector



Replace Public Sector Revenue Loss

Use funds to provide government services to the extent of the reduction in revenue experienced due to the pandemic



Premium Pay for Essential Workers

Offer additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors



Water and Sewer Infrastructure

Make necessary investments to improve access to clean drinking water and invest in wastewater and stormwater infrastructure

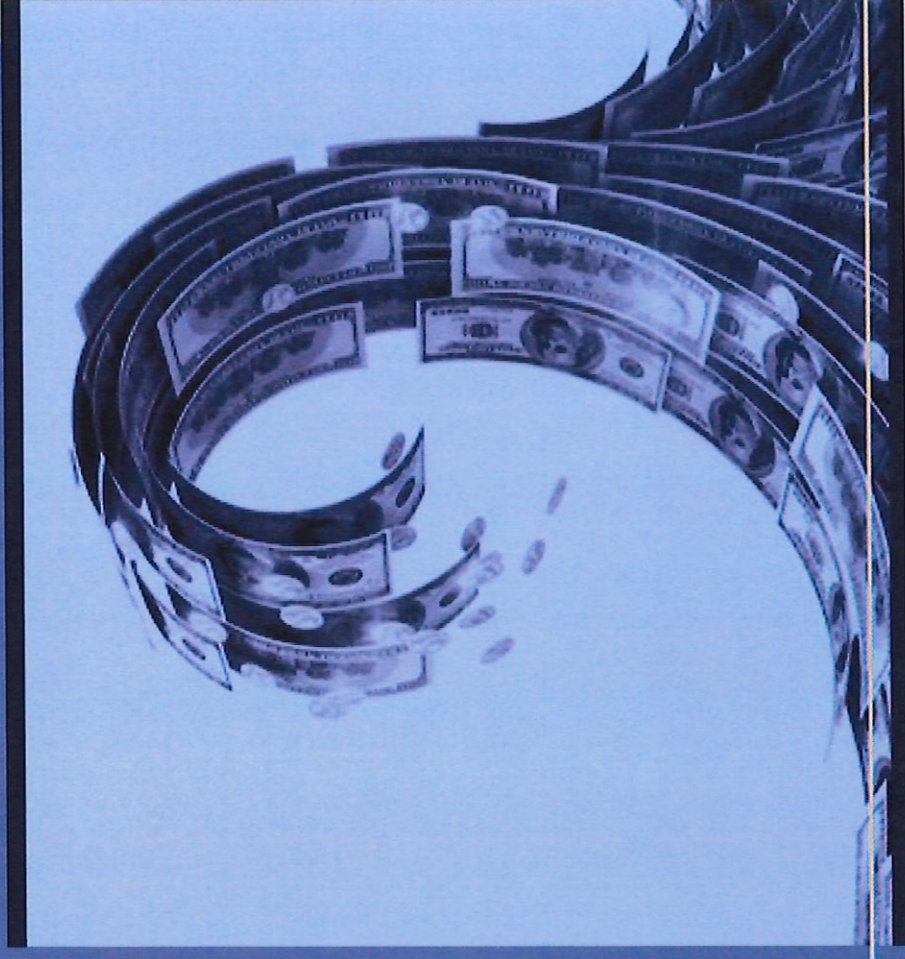


Broadband Infrastructure

Make necessary investments to provide unserved or underserved locations with new or expanded broadband access

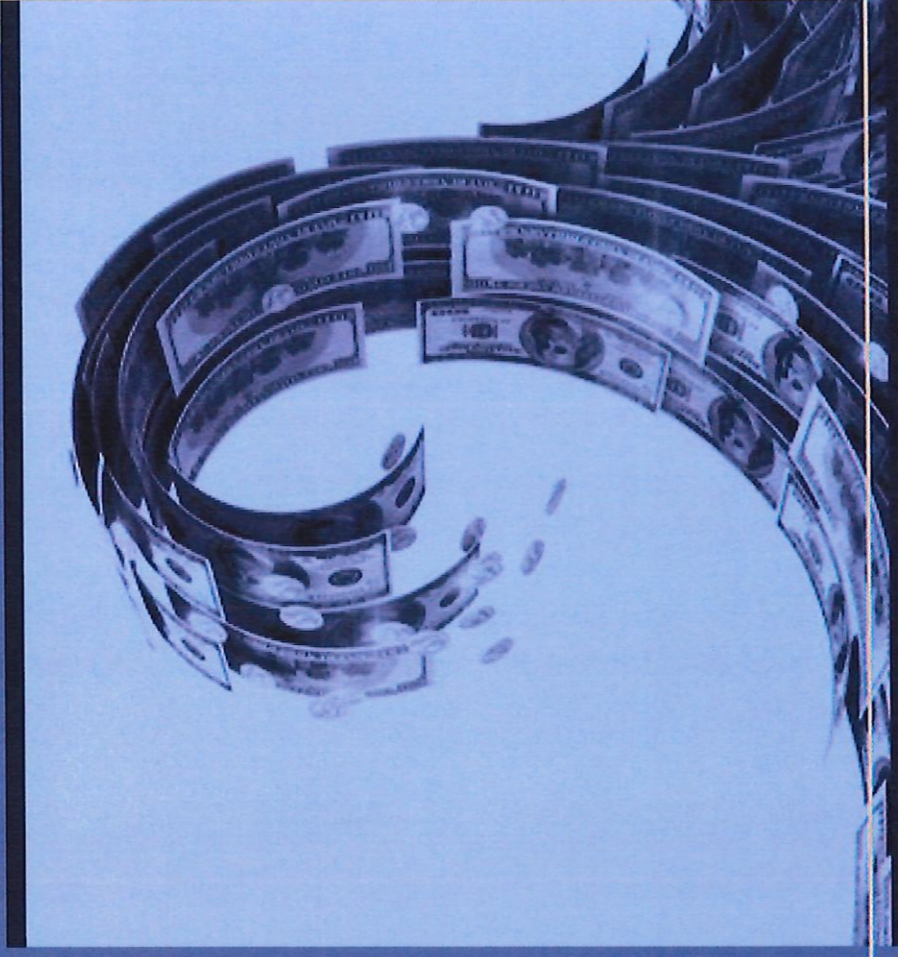
PROHIBITED USES

- Paying down unfunded pension liabilities
- Applying as matching funds toward other federal grants
- Paying interest or principal on outstanding debt or for consent decrees/legal settlements or contributions to "rainy day" funds



ELIGIBLE USES

The Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed.



ARPA NEEDS ASSESSMENT COMMITTEE CHARGE

“to enable the ARPA Needs Assessment Committee to conduct a needs assessment to make recommendations to the Board of Selectmen on potential uses for ARPA funds.”

Who has the authority to appropriate funds?

- The IFR does not provide guidance on allocation methodology. These funds are more akin to formula grants vs. competitive grants.
- Towns should follow the normal process for handling supplemental revenue or special funds.

Charge: August 17, 2021 - BOS meeting minutes

to enable the ARPA Needs Assessment Committee to conduct a needs assessment to make recommendations to the Board of Selectmen on potential uses for ARPA funds.

Town Hall large meeting room video conference system update:

Jean Speck reported that Yucatech provided a \$7,700 quote to equip the large meeting room for hybrid meetings. Jean Speck confirmed that the funding would come from the ARPA funds. During a discussion it was suggested that there might be a few additional expenses and any approval should include contingency. Jean Speck made a motion to allow up to \$12,000 to purchase and install the necessary equipment in the large meeting room, to conduct hybrid meetings, using ARPA funds. Glen Sanchez seconded the motion and the motion carried.

Emergency Management Timeline:

Emergency Management Director David Becker and Emergency Management Deputy Eric Epstein provided a proposal and a timeline for Emergency Management, attached. Jean Speck made a motion to spend up to \$24,000, from the ARPA fund, to pay for the budget as presented by the Emergency management team. Rufus DeRham seconded the motion. Darlene Brady stated the ARPA subcommittee's, which Jean is a member of, was charged with identifying uses for the ARPA funds. Jean Speck stated the follow:

- Clarification of the ARPA subcommittee's charge is to conduct a needs assessment.
- No motions made to hold expenditures for funding.
- Funding not dependent on needs assessment.

Glenn Sanchez asked if the ARPA subcommittee had seen this presentation. Jean Speck confirmed, no.

Jean Speck called for the vote. All three voted yes and the motion carried.

To the ARPA Assessment Committee Members and Town of Kent:

During last night's Select Board meeting two requests for ARPA funding for municipal expenditures totaling just over \$40,000 were proposed, voted, and approved.

This unexpected circumvention of our committee's charge and process is a disappointing development that requires my resignation as chair and member, which resignation I herewith tender effective immediately. All committee materials created or collected by me including this letter are within our shared Google Drive.

In conducting our assessment - including our present survey and planned focus groups - we intended to provide a fair and equitable opportunity to hear from our community about their COVID impacts and needs, and to collect and analyze a broad set of data prior to synthesizing and delivering recommendations to the Select Board and Board of Finance regarding their apportionment of Kent's limited ARPA funds.

Instead, we have allowed the Select Board to use our process to jump the line, prior to any other requests being heard, prior to any recommendations from its own subcommittee, and prior to development and implementation of a formal method for receiving and determining the response to requests for funding.

Compounding the foul, First Selectman Jean Speck's membership on our committee provided her, the person requesting the funds, an inside advantage due to her knowledge of our committee's plans and her complete control over and sole knowledge of preliminary survey responses. During the meeting, questions about the propriety of the timing of the requests were not adequately explained by Ms. Speck, considered by the Select Board. Ms. Speck was not forthcoming about the inherent conflict of interest in her making of the requests, nor did she recuse from discussion and voting on the requests.

My personal and professional ethic does not permit me to stay on this committee. When I volunteered and agreed to act as chair it was because I thought I could bring good order, accountability, and fair process to the charge. After last night I cannot trust the integrity of the process and will not be complicit in what amounts to window dressing on the part of our municipal leaders.

While what happens next is up to you to decide, I recommend at least that the following corrective and proactive measures be taken:

1. Request that the Board of Selectmen rescind its votes approving allocation of funds to the town until the committee completes its assessment.
2. Request First Selectman Jean Speck's resignation from this committee.
3. If Ms. Speck remains on the committee, to commute control and responsibility for the collection and reporting on survey results to another committee member.
4. If Ms. Speck remains on the committee, require that any requests by or proposals for funding to municipal departments and boards be made to the Select Board by another town representative who is not on this committee, and that Ms. Speck explicitly disclose her membership and role on the committee during Select Board meetings and recuse from discussion and voting on any such requests or proposals.

My apologies to Kent's townspeople for any delay or other harm suffered attributable to my activities on this committee or this resignation, and to you who have served alongside me.

Sincerely,



Connie Manes

Date: 16 December 2021

To: Jean Speck, First Selectman
Glenn Sanchez, Selectman
Rufus deRham, Selectman
Town of Kent
41 Kent Green Blvd.
Kent, CT 06757

From: Patricia Oris
100 Geer Mountain Road
South Kent, CT 06785

Dear Board of Selectmen,

I am writing to you today in my role as Secretary of Kent's ARPA Needs Assessment Committee. As you are aware, your vote to approve two ARPA expenditures on Tuesday, December 14th has been the subject of much controversy within the Needs Assessment Committee. The controversy centered entirely on Jean Speck's presentation and personal endorsement of those two proposals, and resulted in the immediate resignation of our chair, Connie Manes.

I agree wholeheartedly with Ms. Manes' view that it was improper for Ms. Speck to present those proposals to you. As Kent's top government official and a member of the ARPA Needs Assessment Committee, it was essential that she (more than anyone) adhere to the principles of transparency and fairness set by the Committee at inception. We promised the people of Kent that we would investigate the full impact COVID on our community; produce a data-driven, publicly available report outlining our findings; and recommend a range of disbursement options to the Board of Selectmen and the Board of Finance that were in direct response to the needs of the community and in keeping with Federal guidelines. Most importantly, we promised a fair and transparent process.

By Ms. Speck circumventing the process before it was completed and without the knowledge of her fellow Committee members, she gave credence to the view that if you hold a government position, and if you are appointed to a committee with inside information, your personal wish-list of ARPA expenditures will get first and top priority. This is the very antithesis of what we set out to do.

Ms. Speck will contend that she had the "right" to present and promote those expenditure proposals. That may be so, but what one has a "right" to do is not always the right thing to do. We all know that. Ms. Speck will also contend that her proposals were "in the best interest of the town and in keeping with Federal guidelines." That too may be so, but not having gone through the Needs Assessment process, we will never know for sure and neither will the people of Kent.

At the end of yesterday's meeting, I voiced my need for some time to consider the events of the last 48 hours before determining my future role on the Needs Assessment Committee. I hoped that with some self-reflection, Jean would resign from the committee and allow us to move forward without her presence at our committee table. I also hoped (still hope) that the Board of Selectmen will call a special meeting to rescind their ARPA disbursement votes until after the committee has completed its work. In either of these scenarios, however, I have lost my enthusiasm and energy for being part of the ARPA Needs Assessment Committee and regrettably tender my resignation effective immediately.

With deepest apologies,
Patricia Oris