



**RECEIVED**

By Darlene Brady at 1:07 pm, Aug 31, 2023

Board of Selectmen  
Special Meeting

August 30, 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=933TIWuYmol>

Jean Speck, Rufus deRham, and Glenn Sanchez.

Also present: Jocelyn Ayer, William Bachrach, Darlene Brady, Zanne Charity, Melissa Cherniske, Debbie Devaux, Mary Gawel, Lynn Harrington, Leila Hawken, Donna Hayes, Barbara Herbst, Tai Kern, Rick Osborne, Justin Potter, Tamara Potter, Mary Williams, and Lynn Worthington.

**Call to order:**

Jean Speck called the meeting to order at 4:03 P.M.

**Approval of minutes:**

Rufus deRham made a motion to approve the following minutes:

- July 27, 2023, Special BoS Meeting
- August 3, 2023 Special BoS Meeting
- August 11, 2023, Special BoS Meeting
- August 15, 2023, Special BoS Meeting

Glenn Sanchez seconded the motion and the motion carried.

**Correspondence:**

August 19, 2023 Email from Mary Susan Williams, "Speed limit at Macedonia Brook State Park."

Jean Speck:

- Will review statute 23-4-2b
- Will follow-up with DEEP
- Prepared to provide recommendation at the next Regular BoS meeting (9/27/23)

**Public Comment:**

None.

**Tax Refunds:**

No Tax refunds.

**Treasurer Report:**

No report.

**Kent Affordable Housing request for a town Meeting for the purpose of acquisition of small parcel of unused Town land & Action - request to PZC for an 8-24 review of Kent Affordable Housing proposal:**

Jean Speck made a motion:

Pursuant to Connecticut General statute 8-24 the Board of Selectmen will refer the proposal to Planning and Zoning for a report.

Rufus deRham seconded the motion and the motion carried.

Jean Speck:

- Will send the proposal via email to Tai Kern and Matt Winter prior to the next regular P&Z meeting (9/14/23).
- BoS to set Town Meeting date at Special BoS meeting within the next two weeks.

Justin Potter:

- Will reach out to Terry Dalton to begin drafting the conditional agreement.
- Terry Dalton will need to work with Town Council on the agreement.
- The request will not infringe on the DPW operations.

**Discussion and possible action regarding additional design work for Streetscape II plans in response to public comments following Public Informational Meeting:**

Rufus deRham made a motion:

To accept SLR's design proposal.

Jean Speck seconded the motion and the motion carried.

Donna Hayes:

- Noted the proposal from SLR for \$14,595 is *only* for design work.
- Asked if SLR was able to provide a cost/estimate for the additional work to be completed?

Jean Speck:

- BoS needs to schedule a site walk meeting with SLR on Lane and Maple Street, open to the public.
- Confirmed the \$14,595 is *only* for design work and SLR is unable to provide an estimate/cost for the additional work.

**Possible action to accept gift of Albin property – Tax lot 16-23-6:**

Jean Speck made a motion:

Pursuant to Connecticut General statute 8-24, the Board of Selectmen refer this transfer of the Lloyd Albin property proposal to Planning and Zoning for a report.

Glenn Sanchez seconded the motion and the motion carried.

Jean Speck:

- Will send the proposal via email to Tai Kern and Matt Winter prior to the next regular P&Z meeting (9/14/23).
- BoS to set Town Meeting date at Special BoS meeting within the next two weeks.

**Draft Hiring Policy:**

Jean Speck:

- Requested this item be moved to the next Special BoS meeting in a couple of weeks to allow her time to review the draft provided by Donna Hayes.

**Draft updated ToK Ordinance 18-7 Tax Abatement ordinance for Volunteer Emergency Services Personnel:**

Jean Speck:

- Added an updated draft of the Abatement ordinance into the meeting shared folder with an updated number six, per town council's recommendation.
- Will ask town council why he updated the ordinance to be retroactive to 2022 and not 2019.
- Request the information to understand the financial impact to make the ordinance retroactive back to 2019 from the tax collector.
- Be prepared to discuss and approve at the Special BoS meeting in the next two weeks.

Darlene Brady:

- Asked the question, if the BoS is supporting town council's recommendation to make the abatements retroactive to 2022, why would the BoS not make it retroactive back to the effective date of the abatement statute change?

**Draft updated job descriptions:**

**Recreation Leader:**

Jean Speck:

- Requested this item be moved to the next Special BoS meeting in a couple of weeks to allow her time to review.
- If the Park and Rec Director's job description needs to be updated as a result of the addition of a newly created position and its proposed responsibilities, the BoS will work with Park and Rec to do that.

**Kent Town Center reimbursement:**

Jean Speck made a motion:

To reimburse the Kent Town Center \$1,690.98 for work they had done for the repair of their property.

Rufus deRham seconded the motion.

Jean rescinded the motion and Rufus rescinded the second.

Jean Speck made a motion:

To reimburse the Kent Town Center \$1690.98 out of the Streetscape project funds for their submitted repair work.

Rufus deRham seconded the motion and the motion carried.

### **Cemetery Association update:**

Jean Speck:

- Provided town council with Winchesters ordinance with some statute questions.
- Part of the ordinance will be a job description for a sexton and possibly an assistant sexton that I will create based on an extensive list of duties and tasks provided by Tammy and Bill Potter.
- Review town council's draft ordinance at the next BoS Special meeting in the next two weeks.
- This ordinance will need to go to the taxpayers to vote on via a Town Meeting.
- The ordinance will create a cemetery committee and then the operational pieces will be set by the committee via bylaws.

Tamara Potter:

- Suggested the town close the cemeteries this year from December 1 – April 1, to have time to create the committee, find a sexton, and transfer all of the records.

### **Swift House Needs Assessment architect approval:**

Glenn Sanchez made a motion:

To accept the Swift House Task Force's recommendation and enter into an agreement/a contract with Silver Petrucelli and Associate based on their proposal to conduct a needs assessment for no more than \$15,000.

Jean Speck seconded the motion and the motion carried.

Jean Speck:

- Will reach out to Silver Petrucelli and Associates.
- Agreed to Zanne Charity's request to include her in the conversation with Silver Petrucelli and Associates.

### **Selectmen reports:**

Jean Speck:

- Working with the Regional Opioid Response Fund Committee to find ways to spend the settlement funds.
- Second week in September hold a "Stop the Bleed" training session.
- In 4-5 weeks have the state police come and do a training in Town Hall and follow-up with a table talk exercise to take the training and apply it to a small scenario.

Glenn Sanchez:

- Nothing additional to report.

Rufus deRham:

- Nothing additional to report.

**Public Comment:**

Rick Osborne:

- Food Scrap program:
  - Collecting around 1,000 per week.
  - Should slow down a little bit after Labor Day.
  - Thank the following people who helped kick off the program, Joyce, Tiffany (HRRA), John and Rhianna (Waste Zero).

Lynn Worthington:

- How much additional money is available in the tap grant based on the current estimate to fund the proposed additional work just approved in the design?
- Did any of the selectmen ask Rick or Jared if they have any concerns or are in favor of letting go of the land for Kent Affordable Housing?
- Did Rick or Jared raise any concerns because the board has not discussed any concerns?

**Adjournment:**

Jean Speck:

Made a motion to adjourn the meeting at 5:55 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  
Special Meeting Agenda  
August 30, 2023 @ 4:00 P.M.

Join Zoom Meeting:	<a href="https://us02web.zoom.us/j/89390561120">https://us02web.zoom.us/j/89390561120</a>
Meeting ID:	893 9056 1120
One tap mobile:	+16465588656,,89390561120# US (New York)

Supporting documentation for this meeting: <a href="https://drive.google.com/drive/folders/1kraFxY5cE6JvpPObjyh4RKb3e_xopdb">https://drive.google.com/drive/folders/1kraFxY5cE6JvpPObjyh4RKb3e_xopdb</a>
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1. **Call to order.**
2. **Approval of minutes:**
  - 2.1. July 27, 2023, Special BoS Meeting
  - 2.2. August 3, 2023 Special BoS Meeting
  - 2.3. August 11, 2023, Special BoS Meeting
  - 2.4. August 15, 2023, Special BoS Meeting
3. **Correspondence**
  - 3.1. August 19, 2023 Email from Mary Susan Williams, "Speed limit at Macedonia Brook State Park."
4. **Public Comment.**
5. **Tax Refunds.**
6. **Treasurer Report.**
7. **New Business:**
  - 7.1. Kent Affordable Housing request for a town Meeting for the purpose of acquisition of small parcel of unused Town land.
  - 7.2. Action - request to PZC for an 8-24 review of Kent Affordable Housing proposal.
  - 7.3. Discussion and possible action regarding additional design work for Streetscape II plans in response to public comments following Public Informational Meeting.
8. **Old Business:**
  - 8.1. Possible action to accept gift of Albin property – Tax lot 16-23-6
  - 8.2. Draft *Hiring Policy*.
  - 8.3. Draft updated ToK Ordinance *18-7 Tax Abatement ordinance for Volunteer Emergency Services Personnel*.
  - 8.4. Draft updated job descriptions:
    - 8.4.1. Recreation Leader
  - 8.5. Kent Town Center reimbursement.
  - 8.6. Cemetery Association update.
  - 8.7. Swift House Needs Assessment architect approval.
9. **Selectmen reports.**
10. **Public Comment.**
11. **Adjournment.**





Joyce Kearns &lt;adminassist@townofkentct.org&gt;

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**Speed limit at Macedonia Brook State Park**

1 message

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**Mary Susan Williams** <williamsmarysusan@gmail.com>

Sat, Aug 19, 2023 at 3:49 PM

To: selectmen@townofkentct.org

I propose an enactment to reduce the speed limit at Macedonia Brook State Park. The current speed limit is 25 MPH. I believe that 20 is more reasonable.

This is a camping ground with young children riding bikes, people walking their dogs, runners, walkers, hikers, families strolling together enjoying the woods. There are no sidewalks. In some sections of this dirt road, the width is one vehicle wide. When one is passed by a 4000 pound truck, it is frightening and dangerous.

Most drivers are considerate and reasonable. They reduce their speed and give pedestrians a wide berth. There are a small minority that do not. It would only take one time to have catastrophic results. I propose that each of you try driving thru the park at 25 MPH and determine if you would want a loved one of yours to be a pedestrian in that situation.

I would happily fund  
the purchase and installation of two 20 MPH signs to be positioned at each end of the Park.

Thank you for your consideration in this matter.

Mary Williams  
27 Preston Mountain Road  
Kent, Connecticut 05757  
PO Box 677

Sent from my iPhone



July 24, 2023

Town of Kent  
Board of Selectmen  
41 Kent Green Boulevard  
Kent, CT 06757

**RE: Request to Schedule Town Meeting**

Dear Board of Selectmen:

We would like to request that the Board of Selectmen schedule a town meeting in September regarding the acquisition of fewer than two acres of unused Town of Kent land by Kent Affordable Housing (KAH) to help the town meet the goals in its adopted 2022–2027 Housing Plan. A map showing the approximate area we are interested in acquiring is attached.

At the May 24, 2023 Board of Selectmen meeting, I noted that Kent Affordable Housing would be coming to the town with a proposal to acquire fewer than two acres in an area between the tennis court parking lot, South Common, the transfer station, and the highway department.

As mentioned during that meeting, KAH hired Cardinal Engineering to look into the capacity of unused areas in and adjacent to South Common to accommodate additional units. Cardinal found that the existing sewer and water capacity of South Common was more than adequate to accommodate new units. The above-mentioned area was identified as the one most suitable from a topographical perspective for affordable housing.

After that meeting, we met with Rick Osborne of Public Works, and Jared Kuczenski of Parks and Recreation, to discuss their needs and future plans. In consultation with them, we sketched out a map that will avoid conflicts with current and future uses. Cardinal Engineering confirmed that a meaningful number of units (at least 10-12) at a density similar to the existing South Common units could be accommodated on the site.

We have hired Robert L. Hock Land Surveyors LLC to complete a survey of the area. The map from their proposal, based on the sketch we provided, is what is attached. They anticipate having the survey completed by late August.

Using town land for affordable housing is supported by the Housing Plan (15-16), which was created by a steering committee made up of residents, and received significant public input. The Housing Plan was approved unanimously by the Planning and Zoning Commission and the Board of Selectmen. It is also supported by the 2022-2032 Plan of Conservation and Development (78-79).

Prior to the proposed town meeting, the Board of Selectmen may want to consider referring the



proposed transfer to the Planning and Zoning Commission for a review pursuant to CGS Section 8-24.

At the proposed town meeting, we will be seeking approval of a conditional contract to acquire the property identified if zoning approvals are obtained. This will allow for ample public input during the zoning approval process, before the acquisition of the property by KAH will take place.

In addition to providing opportunity for public input, such an agreement will provide KAH with assurance that if we are successful in seeking zoning approvals, which will require very significant expenditures, we will in fact be able to acquire the property. For context, once the survey is complete, we will have spent over \$20,000. We anticipate that the work required to obtain zoning approvals will be substantially more.

I look forward to answering any questions you may have and getting the town meeting onto the calendar.

Sincerely,

  
Justin Potter  
President



ACKERLY ♦ BROWN LLP  
ATTORNEYS AT LAW

LITCHFIELD AND SALISBURY, CONNECTICUT

MARY M. ACKERLY  
LOUISE F. BROWN  
J. MICHAEL SCONYERS  
EMILY D. VAIL\*

\*also admitted in New York

REPLY TO:  
782 BANTAM ROAD  
POST OFFICE BOX 815  
BANTAM, CT 06750

PHONE 860-567-0828  
FAX 860-567-5844

July 10, 2023

Jean C. Speck  
First Selectman  
P.O. Box 678  
Kent, CT 06757

Re: Albin property  
Tax lot 16-23-6

Dear Jean:

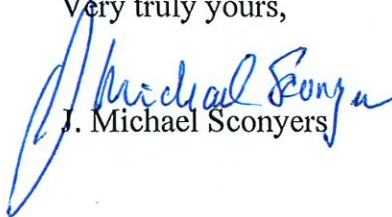
Thank you for your time during our telecon July 5, 2023.

As I explained, the heirs of Lloyd Albin offer to transfer to the Town of Kent the very small parcel identified as Tax Lot 16-23-6, at no charge to the Town of Kent ("free").

It is hoped that the Kent Board of Selectmen will agree to accept this parcel.

Please advise of the position of the Board of Selectmen and whether Town Counsel believes additional authority to accept the gift is required.

Very truly yours,

  
J. Michael Sconyers

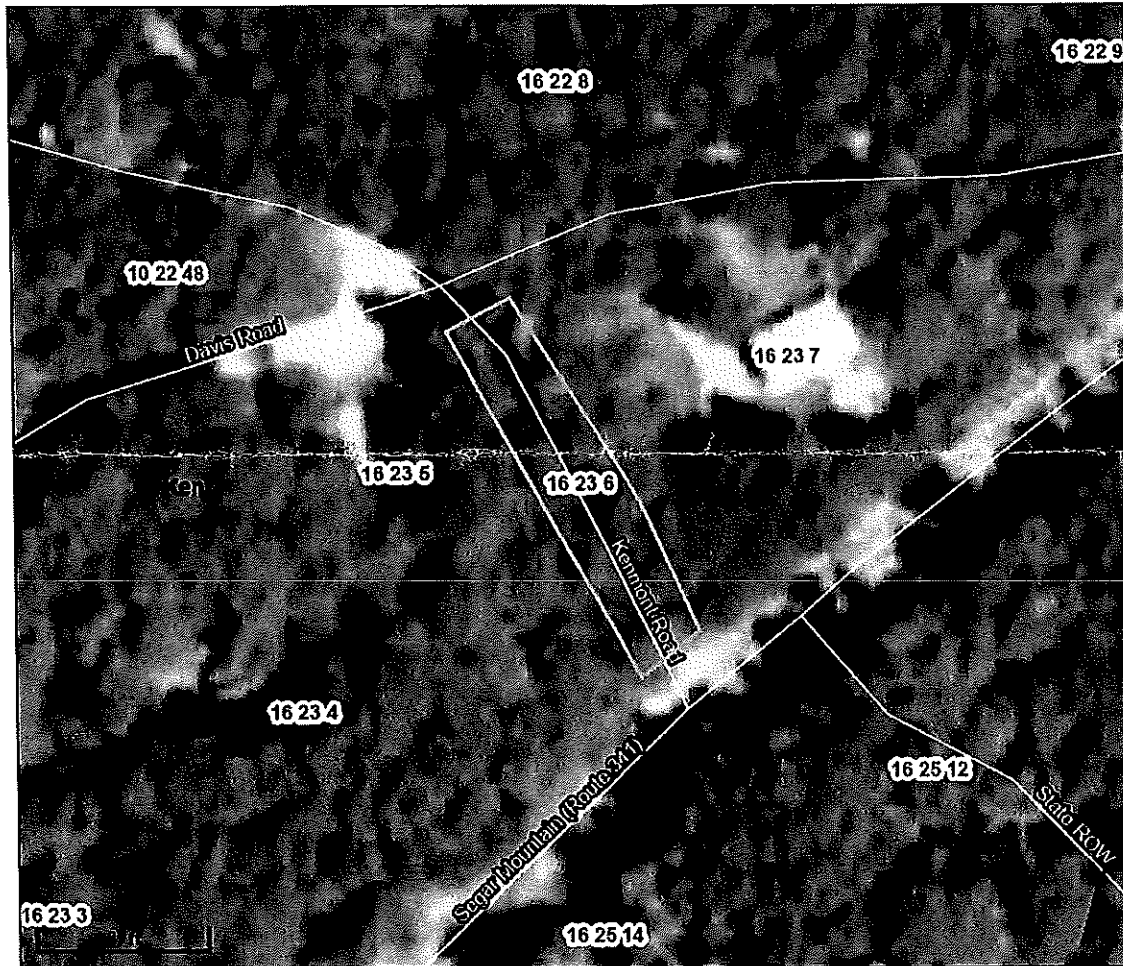
JMS/jmr  
Enclosure

S:\CLIENTS\A-F\Albin, Lloyd\Albin, Lloyd - Est Admin\Correspondence\FirstSelectman10July23Ltr.docx

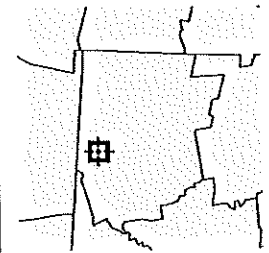
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JUL 11 2023

BY: .....





**Overview**



**Legend**

Map-Block-Lot No.

--- Roads

□ City Labels

Parcel ID 1649  
 Sec/Twp/Rng 16-23-6  
 Property Address SEGAR MTN RD  
 KENT

Alternate ID 00174500  
 Class R  
 Acreage 0.05

Owner Address ALBIN LLOYD A EST  
 C/O JONATHAN S ALBIN  
 6700 N RICHMOND ST  
 CHICAGO IL 60645

District 5A  
 Brief Tax Description n/a

(Note: Not to be used on legal documents)

Date created: 6/27/2023  
 Last Data Uploaded: 6/26/2023 10:28:37 PM

Developed by  **Schneider**  
 GEOSPATIAL



Donna M. Hayes  
P.O. Box 515  
Kent, CT 06757  
[Dona0706@aol.com](mailto:Dona0706@aol.com)

To: Town of Kent Board of Selectmen

Re: Suggested Changes to the Hiring Policy Section of Policy & Procedure Manual (P&PM)

Date: July 23, 2023

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As discussed at the last Board of Selectmen meeting, I am re-submitting my suggested changes to the "Hiring Policies and Process" section of the P&PM. Please see the bulleted points below that better explain my suggestions. I've also attached the revised sections for your review.

Within the "Departments" section:

- I added the third sentence (in red) to the second paragraph that includes wording referring to those department heads that work with Commissions and/or Boards. Please see Section 1, Applicability General, which addresses this. In addition, in most cases, the By-Laws of the Commissions/Boards state that they are responsible for the hiring/firing of employees by making a recommendation to the Board of Selectmen.
- I also eliminated the word "However" from the beginning of the fourth sentence.
- I added the words "Upon review" and "ultimately" to the fourth sentence.
- I eliminated the word "therefore" in the fourth sentence.

Within the "Vacancies" section:

- I added the second sentence (in red).
- I eliminated "The Board of Selectmen shall determine if the Town will fill the vacancy."
- I eliminated the word "would" and added the word "shall" to the new third sentence.
- I added "for a minimum of 2 weeks" to the end of the new third sentence.

I think that the proposed changes combine my recommendations with the recommendation submitted by Selectman Sanchez in a way that better explains the process when a department head reports to a Commission or a Board. My recommendations also comply with the first bullet under Section 1, which states: "These policies and procedures were adopted by the Board of Selectmen and apply to a specific group of Employees of the Town of Kent. Those Employees are: Hired by the First Selectman and/or the Board of Selectmen, by Elected Officials or by Commission(s); the Hiring Authorities of the Town of Kent."

Thank you for reviewing my recommendations but before you move forward, I believe you should consider eliminating the Employee Policy and Procedure Manual as it exists today. It has not been updated as required by the document itself and has not been consistently applied across all departments. For example, during the recent budget process, a full-time position was approved by the Board of Selectmen without an approved job description. This was done in violation of Section 2 of The Employee Policy and Procedures Manual. In addition, employees were hired without the proper job postings per Section 3, subsections Departments and Vacancies of the Town of Kent Employee Policy and Procedures Manual or approved job descriptions per Section 2. There is no need to have a Policy and Procedure Manual if it is not applied consistently within the departments.

Thank you for considering my recommendations and comments.





### 3. Hiring Policies and Process

#### *Departments*

The following are the principal management Departments within the Town of Kent:

1. Selectmen
2. Highway
3. Town Clerk
4. Tax Collector
5. Tax Assessor
6. Land Use
7. Park and Recreation
8. Treasurer
9. Social Services

Each department shall have a Department Head whether or not there are additional employees within the department. The Department Head shall be the principal point of contact with the Board of Selectmen for those departments that administer policies directed by Town Boards or Commissions.

Each Department Head shall have the authority to recommend to the Board of Selectmen the hiring or firing of any personnel. Each Department Head shall have the authority to recommend salary and salary adjustments to the Board of Selectmen. *If the Department Head works in conjunction with a Commission/Commissions or Board/Boards, recommendations to the Board of Selectmen on the hiring or firing of any personnel or recommendations on salary and/or salary adjustments to the Board of Selectmen shall be jointly submitted with the Chairman or Commission/Board representative. However, Upon review, the salary shall ultimately be set by the Board of Selectmen within the limits of the budget appropriation therefore and shall be effective immediately.*

Unless directed to the contrary by any state statute or town ordinance, each department that has or anticipates requiring support staff (clerks or assistants) shall try to maintain a defined level of subordinate positions specified by skill level or training required and job responsibilities. Each specific level of subordinate position shall comport with a salary range scale agreed by the Board of Selectmen.

#### *Job Descriptions*

On a biennial basis, starting in September of 2012 and every two (2) years after that, the First Selectman, with the advice of applicable Boards, Commissions and/or Department Heads, shall conduct an organizational review of each municipal department. Following such reviews, the Department Head may recommend to the Board of Selectmen the retention of the current organizational structure of any department or may recommend organizational revisions of any department. The Department Head also shall recommend the allocation of job duties within the various departments. Such revisions and allocations may be implemented only after the approval of the Board of Selectmen. Job descriptions shall be developed and/or revised by the First Selectman with input from any applicable Boards or Commissions and/or the Department Heads. Where the First Selectman deems it necessary, incumbent employees may be interviewed regarding job duties. In addition to defining responsibilities, the job description may include an Appendix that sets out terms of employment that modify this policy in specific areas for the current employee. The Board of Selectmen must approve any such Appendix, thereby making it a matter of public record. Upon



termination of the employee, for whatever reason, the Appendix shall be void. Job descriptions are also subject to approval by the Board of Selectmen (Appendix I).

The statements contained in each employee's job description are illustrations of the various types of work that may be performed, the skill typically required and the scope of responsibility. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

### ***ADA Policy***

The Town of Kent is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is the Town's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the Town will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Town aware of his or her disability, provided that such accommodation does not constitute an undue hardship to the Town. Employees with a disability who believe they need a temporary or permanent reasonable accommodation to perform the essential functions of their job should contact the First Selectman and request accommodation.

### ***E-Verify Policy***

The Town of Kent is committed to compliance with Federal Law regarding hiring practices. It shall be a policy of the Town of Kent that the Town must use the federally maintained E-Verify Program ([www.uscis.gov/e-verify](http://www.uscis.gov/e-verify)) (or any successor program) to verify the employment eligibility of new hires made by the Town. New hires must complete an I-9 form. The Selectman's administrative assistant shall process the verification and maintain the records.

### ***EEOC Policy***

The Town of Kent is committed to equal employment opportunities for all. Equal Employment Opportunity has been, and continues to be, a fundamental principle at the Town of Kent. Employment and promotions are based upon personal capabilities and qualifications without regard to race, color, religion, sex, age, national origin, disability, sexual orientation or any other protected characteristic as established by law. This policy applies to all terms and conditions of employment, including policies and procedures related to recruitment and hiring, compensation, working conditions, benefits, and termination from employment.

### ***Vacancies***

The Department head shall notify the Board of Selectmen in writing of a job vacancy. **If the Department Head works in conjunction with a Commission/Commissions or Board/Boards, recommendations to the Board of Selectmen on the filling of a job vacancy shall be jointly submitted with the Chairman or Commission representative.** ~~The Board of Selectmen shall determine if the Town will fill the vacancy.~~ The Department Head ~~would~~ **shall** post a job opening notice internally via e-mail to all department heads and on the Town of Kent website and in such other places as may be deemed appropriate **for a minimum of 2 weeks.**



### *Application Process*

There is no legal right to municipal employment. The Department Head has discretion to decline to offer employment should he/she believe the applicant does not adequately fit the position, that there are more qualified candidates available, that the applicant does not possess the qualifications or skills required for the position, in the event he/she considers the applicant pool to be inadequate, or if the applicant fails to file an application by the announced closing date for the receipt of applications unless an extension has been publicly announced prior to such date.

### *Newly Hired Employees*

Upon hiring a new employee, the Selectmen's Administrative Assistant will be notified immediately in order to start a personnel file and set up the new employee for payroll. Notification must include, at minimum, the new employee's name, social security number, date of hire, and beginning salary. The new employee shall report to the Selectmen's Office to complete all required employment forms.

All new hires and employees transferring to a new position will complete an introductory period the first 90-days of employment in that position. Such a period allows the employee time for training and adjustment to the new position.



Hiring Policy Draft  
Town of Kent  
Board of Selectmen  
Regular Meeting  
April 26, 2023

A job description, posted on the Town of Kent website for at least two weeks, is required before boards and commissions may hire new employees. Exceptions may be made for emergency hires at the discretion of the First Selectman.

## **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 (KVFD) 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 KVFD 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 e-mail, a list 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, and include an attestation statement that the foregoing list of eligible volunteers is true and accurate to the best of the Department's knowledge. At its next regularly scheduled meeting, the BOS shall acknowledge receipt of the 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.

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 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. The KVFD shall submit, by delivery of a hard copy or an e-mail, the amended SOP to the BOS within thirty (30) days of adoption of the amendment by KVFD members. The submission should include supporting documentation that clearly explains what was amended. 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. This ordinance shall be retroactive to property on the October 1, 2022 tax lists.

76. 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.



# CRAMER & ANDERSON<sup>LLP</sup>

Attorneys at Law

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New Milford, CT 06776

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Kent, CT 06757

46 West Street  
Litchfield, CT 06759

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Ridgefield, CT 06877

6 Bee Brook Road  
Washington Depot, CT 06794

**D. Randall DiBella**  
**Partner**  
**Also admitted in Virginia**  
E-mail: [drdibella@crameranderson.com](mailto:drdibella@crameranderson.com)

July 25, 2023

Kent Board of Selectmen  
41 Kent Green  
P.O. Box 678  
Kent, CT 06757-0678

***RE: Firefighter and Ambulance Personnel Tax Abatement***

Dear Jean, Glenn and Rufus:

I previously advised you that the volunteer abatement ordinance and enabling statute, CGS section 12-81w permits the town to issue the full, statutorily authorized benefit as that statute is from time to time amended, currently \$2,000.

While the ordinance reads that the abatement is to be \$1,000.00 it is clear that the benefit to be provided is that granted "Pursuant to CGS section 12-81w", which is the introductory language of the ordinance and is incorporated into it by direct reference. It is elementary that statutes' operative effect may be and are often amended. At that time, \$1,000 was the maximum abatement, which the town meeting, Kent's legislative body, approved and enacted. The town meeting could have provided a lesser benefit up to the \$1,000 limit. It did not do so. This indicates a clear and unambiguous legislative intent to provide the maximum benefit statutorily available to the eligible firefighters. Since then the statute was amended to increase the abatement to the current \$2,000.

Given the undisputed custom established by ordinance that the maximum benefit is to be afforded, the undisputed legislative intent to provide the maximum benefit and the reliance on a statute that has been amended to increase the available benefit and which statute is incorporated into the ordinance, it is my opinion that providing a \$2,000 abatement for eligible volunteers is authorized and lawful.

I hope this is of assistance.

Very truly yours,

CRAMER & ANDERSON<sup>LLP</sup>

By

D. Randall DiBella, Kent Town Attorney

DRD/





Joyce Kearns &lt;adminassist@townofkentct.org&gt;

**Re: FYI/FYV**

1 message

**Darlene Brady** <townclerk@townofkentct.org>

Thu, Jul 27, 2023 at 2:34 PM

To: Barbara Herbst &lt;treasurer@townofkentct.org&gt;

Cc: Jean Conlon Speck &lt;firstselectman@townofkentct.org&gt;, Deborah Devaux &lt;taxcollector@townofkentct.org&gt;, Jennifer Dubray &lt;assessor@townofkentct.org&gt;, Joyce Kearns &lt;adminassist@townofkentct.org&gt;

Jean,

The advisory of 7/25/23 regarding the tax abatement leaves open more questions for discussion:

-The intended abatement (if the new ordinance was to be adopted) was not going "to provide the maximum benefit statutorily available to the eligible firefighters". It was suggested \$1,000 for veterans and \$2,000 for active, qualifying members per the accepted list that BOS approved on 2/22/23.

-I'm not sure that an **one time** adopted ordinance that decided \$1,000 becomes an "**undisputed custom** established by ordinance that the maximum benefit is to be afforded....".

What if the statute changes to *up to \$5,000* or *up to \$10,000*; would the town be obligated to provide the maximum amount ?

-The act that changed the statute had two stages:

"..... (1) [(A) for the period commencing July 1, 2019, and ending June 30, 2021, an abatement of up to one thousand five hundred dollars in property taxes due for any fiscal year, and (B) on and House Bill No. 6420 Public Act No. 21-83 2 of 2 after July 1, 2021,] an abatement of up to two thousand dollars in property taxes due for any fiscal year..."

If this advisory was to be utilized for the \$2,000; should the Town not be responsible to make the past years abatement amounts retroactive? \$1,500 for 2019 and 2020 and \$2,000 for 2021 and 2022 ?

-No where is it mentioned the responsibility of the Town to adopt an amended ordinance. Is it legal counsel's advisory that we no longer are required to amend the existing ordinance?

Thank you for taking these questions/comments into consideration as we move forward on how to manage the abatement/ordinance.

**Darlene F. Brady**  
**Kent Town Clerk**  
**PO Box 843**  
**Kent, CT. 06757**  
**o/ 860.927.3433**  
[www.townofkentct.org](http://www.townofkentct.org)

On Wed, Jul 26, 2023 at 3:37 PM Darlene Brady <townclerk@townofkentct.org> wrote:

Thank you for forwarding this.

**Darlene F. Brady**  
**Kent Town Clerk**  
**PO Box 843**  
**Kent, CT. 06757**  
**o/ 860.927.3433**  
[www.townofkentct.org](http://www.townofkentct.org)

On Wed, Jul 26, 2023 at 3:09 PM Barbara Herbst <treasurer@townofkentct.org> wrote:

Thank you Jean

**Barbara E Herbst**

Treasurer, Town of Kent

860 927 0109 | [treasurer@townofkentct.org](mailto:treasurer@townofkentct.org)

PO Box 678

Kent CT 06757

<https://www.townofkentct.org/>[Click to schedule a meeting](#)

On Wed, Jul 26, 2023 at 2:41 PM Jean Conlon Speck <[firstselectman@townofkentct.org](mailto:firstselectman@townofkentct.org)> wrote:

Hi All,

As a follow up to the BoF meeting the other night, town counsel has provided his written opinion on letterhead with his signature. It's attached.

Thanks,

jean

**Jean Speck (she, her, hers)**

First Selectman, Town of Kent

860.927.4627 | [firstselectman@townofkentct.org](mailto:firstselectman@townofkentct.org) | [www.townofkentct.org](http://www.townofkentct.org)[41 Kent Green Boulevard](#)

PO Box 678

Kent, CT | 06757

[Click here to schedule a meeting with me!](#)[Save ink cartridges from extinction - please think twice before printing.](#)

If you received this email in error, please notify us immediately by sending an e-mail or by calling.





## TOWN OF KENT JOB DESCRIPTION

**POSITION:** Recreation Leader

**RATE:** \$18.00 - \$21.00

**PURPOSE OF JOB CLASS (NATURE OF WORK):**

Performs work in the Park and Recreation Department under the supervision of the next higher-level Park & Recreation employee. Work involves taking a lead role in the overall administration and supervision of various programs, sports and special events including the After School Program and all summer camps. Employee is also responsible for supervising Recreation Aides and other lower-level Park and Recreation employees, as well as overseeing proper use and maintenance of recreational equipment and facilities. Employee will also engage in light field and park maintenance work.

**SUPERVISION RECEIVED:**

May work independently and/or under the supervision of Park and Recreation employees in higher positions, including the Director of Park and Recreation.

**DIRECT REPORTS:**

Reports to the more senior on-duty Park and Recreation supervisory position unless otherwise specified.

**HOURS OF WORK:**

This is a full-time, 40-hour-per-week position. During the months of September through the first half of June, employee will be given the option to work a consistent 1:00p to 9:00p schedule or to work a shifting schedule based on the hours of the day's events, programs and tasks. In the case of the latter, the employee will be given an 8-hour-per-day schedule by his/her supervisor such that his/her day ends when the final events or activities of the day end, which may be as late as 9:00p. From the second half of June until the beginning of the school year, the employee will work a standard 8:00a to 4:00p schedule.

**EXAMPLES OF DUTIES:**

- In coordination with high-level Park & Recreation staff, is responsible for the planning, organizing, coordination and supervision of:
  - general programming
  - athletic programs and leagues
  - special events
  - after-school programs and summer camps
- Responsible for the direct supervision and evaluation of Recreation Aides and other lower-level Park and Recreation staff including those working the After School Program & summer camps.
- Supervising and leading small-to-large groups of participants during activities, including groups of children, parents, coaches and volunteers.

- Significant office work preparing program/event materials, communications, payment processing, and other administrative tasks as assigned by supervisor(s).
- Assists in the maintenance of parks, fields and facilities including grooming of fields, cleaning of tennis courts and pavilion, etc.

#### **KNOWLEDGE, SKILL AND ABILITY:**

- Working computer knowledge including use of Microsoft Word, email, use of internet browsers and search engines.
- Ability to speak to and lead groups of children and/or parents.
- An understanding of basic recreation principles.
- If not already certified, incumbent will be required to become certified, at the Town of Kent's expense, in:
  - First Aid, CPR, and AED use
  - Lifeguarding
  - Serve Safe Food Handling

#### **MINIMUM QUALIFICATIONS – GENERAL EXPERIENCE:**

- Must be at least 18 years of age.
- Must be either enrolled in high school or a GED program or have a diploma from one or the other.
- Must have a valid driver's license.
- Must submit to and pass a background check.

#### **WORKING CONDITIONS:**

- Includes working outdoors in varying conditions.
- Includes manual labor movements including but not limited to lifting, shoveling, raking, bending, etc.
- Includes athletic movements including but not limited to jumping, squatting, kneeling, throwing balls, jogging, manipulating sports equipment, etc.
- Requires standing for prolonged periods.



Kent Town Center, P.O. Box 102, Kent, CT 06757

July 28, 2023

Jean C. Speck  
First Selectman  
Kent Town Hall  
41 Kent Green Blvd.  
Kent, CT 06757

Dear First Selectman Speck,

We are requesting that the Town of Kent reimburse Kent Town Center Association for \$1,690.98, the actual cost to restore KTCA property to pre-sidewalk work conditions.

Our previous letter, sent at the end of last year, met with long delays before reassurance was given that the re-imbursement costs would be approved. Subsequently, we learned that they would be approved pending receipt of the actual invoices from our contractors and proof of payment.

Copies of invoices and KTCA checks that paid them are attached for the costs outlined below:

\$223.34	Cambistat treatment for root damage to Linden tree in front of #27 N. Main. (Sawing High Climbers, LLC.)
\$372.23	Replacing damaged/removed vinyl edging bordering front gardens and sidewalks at #25 and #27 N. Main. (O'Connell Property Care)
\$903.98	Removal and disposal of dirt/construction debris/broken pavers piled next to KTCA's dumpsters in the alleyway. (O'Connell Property Care)
\$191.43	Replace perennials lost in the front gardens along new sidewalk at #25 and #27 N. Main. (D.I.G. Stephanie Barlow)
<b>\$1,690.98</b>	<b>Total of the above for reimbursement</b>

Please make the check out to: Kent Town Center Association, and mail to P. O. Box 102, Kent, CT 06757.

Thank you for your attention and action on this matter of our reimbursement.

Respectfully Yours,

Craig Longhurst, President KTCA Executive Board

Sawing High Climbers LLC  
69 Davis Road  
South Kent, CT 06785  
860-801-0100  
emma@sawinghighclimbers.com  
www.sawinghighclimbers.com

# Invoice



BILL TO  
Kent Town Center Association  
25-27 North Main Street  
Kent, CT 06757

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSURE
4034	11/23/2022	\$223.34	12/08/2022	Net 15	

DATE	ACTIVITY	QTY	RATE	AMOUNT
11/22/2022	<b>Tree Care: Plant Health Care</b> 21" Linden tree on the far right side looking from Rt. 7: Apply Cambistat plant growth regulator to help alleviate construction damage to the trees root system. This treatment is effective for 3 years.	1	210.00	210.00

Payment may be made electronically via the "Review and pay" link in our invoice emails, or by check to: Sawing High Climbers, 69 Davis Road, South Kent CT 06785.

SUBTOTAL	210.00
TAX (6.35%)	13.34
TOTAL	223.34
BALANCE DUE	<b>\$223.34</b>

We appreciate your business and look forward to working with you again.

KENT TOWN CENTER ASSOCIATION  
P O BOX 102  
KENT, CT 06757

2587

51-261/111  
95

12/9/2022

Date

CHECK # 2587

Pay to the  
Order of

Sawing High Climbers  
Two hundred twenty-three and 34/100 \$ 223.34  
Dollars



Salisbury Bank  
and Trust Company

For

Inv. # 4034

*[Signature]*

10111026121

20201974481 2587

IMPRESS-507



**INVOICE # 2458**  
**DATE 06/26/2023**  
**DUE DATE 07/26/2023**  
**TERMS Net 30**

SUBTOTAL	350.00
TAX	22.23
TOTAL	372.23
BALANCE DUE	<b>\$372.23</b>

2020197448 2696



**O'Connell Property Care**

15 Morningside Ln  
Gaylordsville, CT 06755 US  
+1 2034999710  
landscaping.oconnell@gmail.com  
oconnellpropertycare.com

**INVOICE**

**BILL TO**  
John Baroody  
27 North Main Street  
Kent, CT 06757

INVOICE 2452  
DATE 06/20/2023  
TERMS Net 30  
DUE DATE 07/20/2023

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Sales	Replacing vinyl edging along rt 7 for Kent Town Center. Material and labor included	0	350.00	0.00
	Sales	Delivering machine, removing debris left by new sidewalk construction. \$250 disposal fee included	1	850.00	850.00T
SUBTOTAL					850.00
TAX					53.98
TOTAL					903.98
BALANCE DUE					<b>\$903.98</b>

**KENT TOWN CENTER ASSOCIATION**  
P O BOX 102  
KENT, CT 06757

2682

51-261/111  
95

6/20/2023  
Date

CHECK ARMOR  
ELECTRONIC DEPOSIT

Pay to the Order of O'Connell Property Care \$ 903.98  
Nine hundred three and 98/100 Dollars

 **Salisbury Bank**  
and Trust Company

For Remove debris pile

John Baroody RP

⑆01102612⑆

2020197448 2682

Microfilm

MAQUINISTE

**Stephanie Barlow**

292 Amenia Union Road  
Sharon, CT 06069 US  
sbarlow3723@comcast.net

## Estimate

ADDRESS  
Kent Town Center  
P.O. Box 102  
Kent, Ct. 06757

ESTIMATE 1007  
DATE 12/13/2022

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Services	Transplanting due to sidewalk construction	4	45.00	180.00T
SUBTOTAL				180.00
TAX				11.43
TOTAL				<b>\$191.43</b>

Accepted By

Accepted Date

**KENT TOWN CENTER ASSOCIATION**  
P O BOX 102  
KENT, CT 06757

2683

51-261/111  
956/20/2023  
Date

CHECK ARMOR

Pay to the Order of Stephanie Barlow D.I.G. \$ 191.43One hundred ninety-one and 43/100 DollarsPhoto  
Safe  
Deposit  
Details on back

**Salisbury Bank**  
and Trust Company

For

Replanting at sidewalkJulie Barozdy MP

⑆01102612⑆ 2020197448⑈ 2683

Richard Cord

MAROON SHEFFIELD™



KENT TOWN CENTER, P.O. BOX 102, KENT, CT 06757

DECEMBER 15, 2022

JEAN C. SPECK  
FIRST SELECTMEN  
KENT TOWN HALL  
41 KENT GREEN BLVD.  
KENT, CT 06757

DEAR MS. SPECK,

WE ARE REQUESTING THAT THE TOWN OF KENT REIMBURSE KENT TOWN CENTER FOR \$1,614.77 THE COST TO RESTORE KTC PROPERTY TO PRE-SIDEWALK WORK CONDITIONS. KENT TOWN CENTER ASSOCIATION HAS OR WILL INCUR THE FOLLOWING COSTS DUE TO DAMAGE CAUSED BY THE SIDEWALK WORK.

KTCA IS PROVIDING THE DETAILS OF THESE EXPENSES. THESE QUOTES ARE FROM PEOPLE/COMPANIES WHO REGULARLY DO WORK FOR KTCA: SAWING HIGH CLIMBERS FOR TREE WORK, STEPHANIE BARLOW FOR GARDENING, AND MICHAEL O'CONNELL FOR GROUNDS KEEPING. COPIES OF THEIR INVOICES/ESTIMATES ARE ALSO ATTACHED.

\$223.34	CAMBISTAT TREATMENT FOR ROOT DAMAGE TO LINDEN TREE IN FRONT OF #27 N. MAIN
\$191.43	MOVING AND TRANSPLANTING PERENNIALS DIRECTLY ADJACENT TO THE SIDEWALK WORK AREA ON THE MAIN STREET SIDE OF THE FRONT GARDENS
<b><u>\$414.77</u></b>	<b>SUB-TOTAL OF COSTS ALREADY INCURRED.</b>
\$350.00	REPLACE DAMAGED/REMOVED/DISCARDED VINYL EDGING BORDER
	ING FRONT GARDENS AND NEW SIDEWALK
\$850.00	REMOVAL OF DIRT/DEBRIS/BROKEN PAVERS PILED NEXT TO DUMPSTERS IN ALLEYWAY. COST INCLUDES \$250.00 DISPOSAL FEE.
<b><u>\$1,200.00</u></b>	<b>SUB-TOTAL OF WORK STILL NEEDED TO BE DONE.</b>
<b><u>\$1,614.77</u></b>	<b>TOTAL OF ALL EXPENSES</b>

THANK YOU FOR ATTENTION TO THIS MATTER OF OUR REIMBURSEMENT.

PLEASE MAKE THE CHECK OUT TO KENT TOWN CENTER ASSOCIATION, AND MAIL TO P.O. BOX 102, KENT, CT 06757.

RECEIVED  
DEC 19 2022

BY: ..... 

RESPECTFULLY YOURS,

A handwritten signature in black ink, appearing to read "C. A. Longhurst", written in a cursive style.

THE EXECUTIVE BOARD  
KENT TOWN CENTER ASSOCIATION

CRAIG LONGHURST, PRESIDENT  
CRAIG.LONGHURST@ME.COM

DIANN KITE, TREASURER  
THECOVEREDWAGONCOUNTRYSTORE@GMAIL.COM

CYNTHIA VANNOY, SECRETARY  
CYNTHIAJVANNOY@GMAIL.COM

**Sawing High Climbers LLC**

69 Davis Road

South Kent, CT 06785

860-801-0100

emma@sawinghighclimbers.com

www.sawinghighclimbers.com

**Invoice****BILL TO**

Kent Town Center Association

25-27 North Main Street

Kent, CT 06757

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
4034	11/23/2022	\$223.34	12/08/2022	Net 15	

DATE	ACTIVITY	QTY	RATE	AMOUNT
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Payment may be made electronically via the "Review and pay" link in our invoice emails, or by check to: Sawing High Climbers, 69 Davis Road, South Kent CT 06785.

We appreciate your business and look forward to working with you again.

SUBTOTAL	210.00
TAX (6.35%)	13.34
TOTAL	223.34
BALANCE DUE	<b>\$223.34</b>

in plan to  
get root  
barrier



O'Connell Property Care  
35 Segar Mountain Road  
Kent, CT 06757 US  
+1 2034999710  
landscaping.oconnell@gmail.com  
oconnellpropertycare.com



## Estimate

### ADDRESS

John Baroody  
27 North Main Street  
Kent, CT 06757

ESTIMATE # 1161

DATE 12/13/2022

---

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Sales	Replacing vinyl edging along rt 7 for Kent Town Center. Material and labor included	1	350.00	350.00
	Sales	Delivering machine, removing debris left by new sidewalk construction. \$250 disposal fee included	1	850.00	850.00

---

SUBTOTAL	1,200.00
TAX	0.00
<b>TOTAL</b>	<b>\$1,200.00</b>

Accepted By

Accepted Date

**Stephanie Barlow**

292 Amenia Union Road  
Sharon, CT 06069 US  
sbarlow3723@comcast.net

## Estimate

ADDRESS  
Kent Town Center  
P.O. Box 102  
Kent, Ct. 06757

ESTIMATE 1007  
DATE 12/13/2022

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Services	Transplanting due to sidewalk construction	4	45.00	180.00T
SUBTOTAL				180.00
TAX				11.43
TOTAL				<b>\$191.43</b>

Accepted By

Accepted Date



FYI

KTCA had requested that some of the pavers that had been in our former sidewalk be saved for possible repair or reuse. What happened when the excavation for the new sidewalk was done is that this pile of debris, pavers, dirt, and whatever, was dumped in the alleyway next to our Welsh Sanitation recycle bid.

Perhaps the Town of Kent can clean this up instead of having to reimburse KTCA to have it done by a private contractor.

