

Board of Selectmen
Special Meeting

November 1, 2019
7:58 P.M. Town Hall

RECEIVED FOR RECORD
KENT TOWN CLERK

2019 NOV -4 P 1:43

TOWN CLERK

BY [Signature]

Present: Bruce Adams, Chris Garrity and Jeff Parkin.

Mr. Adams called the meeting to order at 7:58 p.m.

Mr. Adams read five letters into the record (attached).

Mr. Adams stated after careful consideration of several plan options over a period of eight years, with guidance from our engineering firm of Millone & MacBroom, with public input from interested townspeople and after six public hearings, I move a two-phase plan for the complete renovation of the sidewalks in the village center. This motion is based primarily on 2 criteria:

1. The plan provides the best long-term safety and economic value to Kent and its citizens, and
2. The project will be substantially uniform in construction and materials throughout the Route 7 and Route 341 portions of the project

PHASE ONE

Route 7

- ✓ **West Side:** From just above Kent Greenhouse (end of existing sidewalk) to the Fife and Drum Restaurant.
- ✓ **East Side:** From South Commons to the existing sidewalk opposite the Community House.

Route 341

- ✓ **South Side:** From the Housatonic River Bridge to the driveway at the firehouse.
- ✓ **North Side:** From the crosswalk at Elizabeth Street to Maple Street Extension.

Included:

1. Building materials for Phase One Route 7 and Route 341 would be concrete sidewalks and granite curbing (alternate line items could be included for bid pricing).
2. Two additional crosswalks: in the vicinity of the House of Books and in the vicinity of the Fife and Drum Restaurant.
3. Provisions for conduit for street lamps (24 recommended at present) and possible future needs.

Elizabeth Street, from Rt. 341 to Kent Center School: Necessary repairs and upgrades should be made as determined through discussions with Kent Center School PTO and appropriate entities.

Phase 1 should be sent immediately to Millone & McBroom for the design of a formal plan and creation of a bid package.

PHASE TWO

Elizabeth and Lane Street | After commencement of Phase One, Selectmen would form a new committee to investigate existing streetscape condition and propose possible remedies for these streets.

Mr. Garrity seconded the motion. Mr. Adams asked for discussion.

Mr. Adams stated based on legal opinion from Town Attorney and Bond Counsel the Board of Selectmen would be making the final decision on the Streetscape project. Mr. Adams read the legal opinion from Town Attorney Randy DeBella and the legal opinion from Bond Counsel Joe Fasi (attached). Darlene Brady explained that per State Statute any questions on the ballot must be answerable by a yes or no. She added the choices that were being presented as ballot question, do not meet the State Statute requirements.

The Board of Selectmen discussed the following:

- Sidewalks all the way down to the Greenhouse
- Removal of sidewalk in front of the cemetery on Rt. 341
- Commercial vs. residential zones and using different materials for each zone
- Phases
- Asphalt vs. concrete

The Board of Selectmen agreed the following changes should be made to the motion on the table:

- Change the PHASE ONE location description to the description outlined on the blue handout (attached)
- Remove the Elizabeth Street item
- Remove PHASE TWO
- Add bids should include pricing for both
 - Concrete sidewalks and granite curbing
 - Asphalt sidewalks and granite curbing

Mr. Garrity asked for the motion to be read back. It was decided that the revised motion would be drafted and made at the BOS meeting on Wednesday, November 6, 2019.

Mr. Adams made a motion to rescind the motion. Mr. Garrity seconded and the motion carried.

Mr. Adams made a motion to adjourn the meeting at 9:38


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.*



TOWN OF KENT
Board of Finance
41 Kent Green Boulevard, P.O. Box 678, Kent, CT 06757

October 17, 2019

Kent Board of Selectmen
P.O. Box 678
Kent, CT 06757

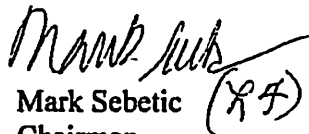
Dear Board of Selectmen:

The Kent Board of Finance at its October 15, 2019 monthly meeting unanimously approved the following motion:

Send a letter to the Board of Selectmen stating that the Board of Finance supports completing the proposed Streetscape Project in one phase with concrete sidewalks and granite curbing as a prudent investment in infrastructure.

Thank you.

Sincerely,


Mark Sebetic (RS)
Chairman

U
Elissa G.T. Potts
Fife 'n Drum Restaurant
P.O. Box 188
Kent, CT 06757

October 31, 2019

Dear Selectmen:

It is my hope the Board of Selectmen will follow the recommendation of the original Streetscape Committee, the one that worked on this project for ten years and did all the heavy lifting. Their research was completed with assistance from people who knew what they were talking about and their opinions were formed without bias and over a long period of time. There was no "get this done right away and at the lowest cost" mandate. There was a "do it right" mandate.

I heard the second streetscape committee member say their goals were safety, lowest cost and aesthetics. The published goals of the first streetscape committee were safety, value and aesthetics. There's a big difference. Concrete is lower maintenance, lasts longer and looks better. It provides the best long-term value for the money. I have attached the Milone and MacBroom summary of the pros and cons of using concrete and asphalt. The M and M analysis runs contrary to the disinformation currently being circulated as Milone and MacBroom's recommendation.

Why else would all Connecticut towns and communities across the country use concrete instead of asphalt? Despite the initial browbeating and intimidation of one person who is a proponent of asphalt, I am told that even the second committee recommended concrete for the sidewalks. , This isn't just my opinion, all the people that I've spoken to want concrete sidewalks, not the lower grade asphalt.

Please don't sell the town short. Kent can afford this project, particularly in light of the retirement of the firehouse and school improvement debt. Build it all now and build something that everyone can be proud of and leave a legacy of a caring community, not a community of cheapskates.

Thank you for your consideration.

Sincerely,



Elissa Potts

Fife 'n Drum Restaurant



Bruce Adams <firstselectman@townofkentct.org>



Side Walk meeting Friday Evening

1 message

Tim Good <tim@thegoodportfolio.com>

Thu, Oct 31, 2019 at 7:20 PM

To: Bruce Adams <firstselectman@townofkentct.org>, John Johnson <skpower154@charter.net>

Dear Selectmen,

Kent has always prided itself in the way it presents the Town to visitors and tourists who choose to come and experience our Northwest gem. As well as continuing to offer a great small business community and great events through the year, the Chamber also looks to the wellbeing and economic development of the town, both short term and long term and the way that it benefits all members of the community as well as all business owners who rely on continued growth. Therefore, it is important to recognize that the Kent Chamber of Commerce and its Members are behind the streetscape improvements that have been recommended by the Streetscape committee including the implementation of concrete sidewalks.



Not only do we see this as a need to improve the towns aesthetic and therefore experience residence and visitors alike but also for making for a safer environment for pedestrians in all seasons.

Thank you for your attention to this crucial issue.

Sincerely,

Tim Good

President

Kent Chamber of Commerce



On behalf of the Chamber Board and Chamber Members.



Bruce Adams <firstselectman@townofkentct.org>

Sidewalk Consideration

1 message

Tim Good <tim@thegoodportfolio.com>

Thu, Oct 31, 2019 at 7:57 PM

To: Bruce Adams <firstselectman@townofkentct.org>, John Johnson <skpower154@charter.net>

Please enter this letter in to the minutes at the Town Hall meeting Friday November 1st 2019.

Dear Selectmen,

It is crucial to make sure that Kent present itself at its best in any season for residence and visitors alike and therefore request that all sidewalks through out Kent center are created in concrete. These sidewalks should be concrete in each direction including Rte. 7 north to the Community House on the east side, Rt 7 South to Commons on the East side and the west side to include the current concrete paving just past the premises of the John Gleason property. West on 341 Southside to the Sacred Hearts church and on the north side to the Parish House at St Andrews. Also, 341 East to the Fire House on both sides.

As a business owner on one of the considered routes it is crucial for my business and that visitors will be enticed along good quality and safe concrete pavements to visit all extremities and to all businesses.

Thank you for your consideration.

Sincerely,

Tim Good

The Good Gallery



Bruce Adams <firstselectman@townofkentct.org>

Sidewalk meeting

1 message

Natalie Randall <natalie@rtfacts.com>

Thu, Oct 31, 2019 at 2:09 PM

To: firstselectman@townofkentct.org

Cc: Tim Good <tim@thegoodportfolio.com>

I would like to emphasize the importance of continuing the concrete sidewalk on the east side of Rte 7 from South Commons to across from the Congegational Church, and on the West side from the Congregational Church to Wasabi Restaurant. The area south of the Monument is the southern gateway to town and continuity is important. Concrete should be used to the east and west as well. As many are unaware, the sidewalk originally ran past Wasabi Restaurant to the Kent Greenhouse employee parking lot driveway. But the maintenance on the stretch in front of Wasabi has long been abandoned. The path has sunken to the point of being a deep gully. The concrete is broken and it is a puddle full of leaves most of the time. It has become a hazard. The town is liable if anyone gets injured here. I would like to see filling and re-surfacing this area as part of the plan so that one can walk or take wagon all the way to the Kent Greenhouse. Currently the old Zeppa Building (owned by Caralie Rockavanski) is under construction. One never knows what that building might be in the near and distant future . If there is no walking access to town from there, it will limit or deter potential businesses. Visitors will not venture past the end of the sidewalk.

Thank you for your consideration

NATALIE. RANDALL

RT FACTS
DESIGN & ANTIQUES
860.927.1700

NATALIE@RTFACTS.COM





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D. Randall DiBella
Partner
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October 10, 2019

firstselectman@townofkent.org
Kent Board of Selectmen
P.O. Box 678
Kent, CT 06757-0678

Re: Proposed Streetscape Referendum Questions

Dear Bruce, Chris and Jeff:

In response to Bruce's request I have reviewed the circumstances surrounding the proposed referendum pertaining to the Streetscape Project.

I examined the text of the May BOS/BOF Resolution (the "Resolution") and the results of the referendum confirming and approving the Resolution appropriating \$2,925,000 and authorizing bonding for that sum and for the specific project.

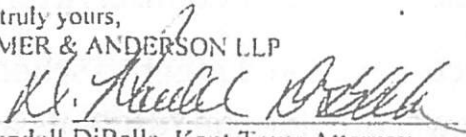
The issue is whether the proposed November referendum questions may be worded such that design and construction options different from and inconsistent with those already adopted may overrule a lawful and current legislative mandate involving bonding that is reliant on the approved design.

The answer is no. Unless the Resolution is expressly rescinded by another vote of the legislative body, the question posed concerning parsing the project and/or modifying its scope or design would not be "proper" as required by Conn. Gen. Stats. §7-1 in my opinion. The Resolution is impeccably detailed, and specifically and expressly approved by the legislative body voting on the likewise well-drafted referendum questions. The Resolution is drawn such that it cites the Milone & MacBroom plan of July 19, 2018, and calls for the improvements "...as determined and implemented by the Board of Selectmen from time to time and including sidewalk, curbing and road repair..." That is what the voters adopted and ordered.

Moreover it is unlikely that the questions could be phrased to provide the voters with adequate information describing the modifications with the same detail as the Resolution.

I hope this is helpful.

Very truly yours,
CRAMER & ANDERSON LLP

By 
D. Randall DiBella, Kent Town Attorney

DRD/

Recap of Conference Call with Attorney Joe Fasi on 10/15/2019

Present: Bruce Adams, Darlene Brady, Barbara Herbst, Joyce Kearns

-By virtue of the currently approved funding resolution, The **Board of Selectmen** is the responsible entity and must make the final decisions for the Streetscape project including but not limited to

1. design (scope) of the project
2. location
3. materials

-The taxpayers have approved the project, within the authority of the full resolution, which was passed by referendum vote.

-The funding resolution authorized the expenditure of \$3,925,000 made up of the following components

1. \$2,925,000 in debt issuance
2. \$900,000 in grants (if extension of grant is approved).
3. \$100,000 appropriated through the Capital Plan

-To allow the voters the opportunity to vote if they wanted to turn down the project;

1. The current funding resolution would need to be repealed via referendum.
2. A town meeting would then need to be held where taxpayers are allowed to cast votes.
3. A NEW funding resolution would need to be created and voted on subsequent to item "2"

Recommendation per Bond Counsel Attorney Joe Fasi:

-Board of Selectmen should meet to schedule a public hearing. The public hearing will provide the residents and community a last opportunity for comments, suggestions, and questions regarding the scope of the project.

-After the public hearing, the BOS should adjourn to a special meeting at which they will vote on the design of the project including location and materials.