

Ryan Knapp, Chair
Judit DeStefano, Vice Chair
Neil Chaudhary
Dan Honan
Mary Ann Jacob
Chris Eide



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TOWN OF NEWTOWN

Minutes of the Legislative Ordinance Committee Meeting

The Ordinance Committee met on Tuesday September 19th, 2017 in Meeting Room 1 of the Municipal Center, 3 Primrose Lane, Newtown. Committee Chairman Ryan Knapp called the meeting to order at 7:00 pm.

Present: Mr. Honan, Mr. Chaudhary, Mr. Eide, Ms. DeStefano (7:15), Ms. Jacob and Mr. Knapp.

Absent: None

MINUTES:

Mr. Honan moved to approve the minutes of 9/7/17. Ms. Jacob seconded. All in favor (4-0) Mr. Chaudhary abstained

PUBLIC COMMENT:

None

Old Business

Review and Recommendation regarding acquisition and disposition of real property ordinance.

Mr. Knapp reviewed the prior meetings changes. The group had removed much of Acquisition and Disposition, leaving the document primarily focused on Leases and Properties under \$20,000. The reason being that much of the proposed language duplicated what was already in the Charter. He spoke to Land Use and shared George Benson's comments regarding properties under \$20K which simplified the process. He commented that the definitions so reference the Charter for consistency.

The group did a line by line read-through during a working meeting. There was discussion as to if this were a stand alone document or more of an appendix to the Charter.

Ms. Jacob would like to see us covered if the Charter changes.

Ms. DeStefano has concerns about the \$10K limit in Statute 7-163e(B) compared to our Charter which lists properties under \$20K.

Mr. Knapp will speak to Legal.

There was discussion of adding Zoning to the process for leases where they is currently defined in the Charter. Mr. Knapp will ask Legal about the ramifications.

The group finished their read through and Mr. Knapp will send it onto Legal for language review with questions.

PUBLIC COMMENT: None.

Mr. Chaudhary moved to adjourn the meeting at 9:20, Mr. Honan seconded. All in favor (6-0)

Respectfully Submitted,

Ryan W. Knapp
Ordinance Committee Chairman

§ 456-1 Purpose

A. The purpose of this chapter is to supplement chapter 8 of the Newtown Charter and establish process around addressing acquisition and disposition of properties not addressed in the Charter of value under \$20,000 or leases of duration less than 5 years.

§ 456-2 Definitions

Definitions: As used in this chapter, the terms “Real Property,” “Acquisition,” and “Disposition” shall have the meanings defined in the Charter section 8-01 (General Provisions).

§ 456-3 Acquisition of Real Property

- A. If the acquisition of Real Property is a result of non-payment of taxes and gifts:
- (1) The property gets sold unless the Board of Selectman brings the Legislative Council a proposal to use the land otherwise.
 - (2) If the Board of Selectman brings forward a proposal for an alternate use of property, the Legislative Council must vote on the consideration within 60 days from the date the proposal is presented.

§ 456-4 Leasing of Real Property

A. All leases shall be negotiated by the First Selectman, with the final, written version subject to approval by the Board of Selectmen. The proposed lease shall be executed by the First Selectman and the tenant or the landlord, as the case may be, conditioned on the actions set forth below in subsections (c) and (d) taking place.

B. Before negotiations are undertaken, the First Selectman shall obtain a written opinion by a licensed real estate appraiser of the fair market rent for the real property in question for the proposed term and a financial impact statement from the Finance Director. Where the term of the proposed lease and all options to renew is for 5 years or less, it shall be optional with the First Selectman whether or not to obtain an opinion of fair market rent.

C. If the Board of Selectmen vote to approve the proposed lease and it conforms with all Planning and Zoning regulations, an outline of the lease including, without limitation, the rent and term, including all options, shall be sent to the Legislative Council for a public hearing to be scheduled pursuant to Section 7-163e of the General Statutes.

D. Following the hearing set forth in subsection (c) above and the if term of the proposed lease, including all options to renew, is for 5 years or less, the Legislative Council may vote to reject

the proposed lease if it acts within 20 days of the close of the public hearing; otherwise the proposed lease shall take effect as written. A majority vote of the Legislative Council to enter into the proposed lease is required if the term of the proposed lease, including all options to renew, is for more than 5 years.

E. The power to enter into leases of space in the Edmond Town Hall is governed by Special Act 98 of the 1931 Session of the Connecticut General Assembly.

§ 456-5 Procedure for property valued under \$20,000 or leaseholds under 5 years in duration

A. Transferred property valued less than \$20,000 is exempt from procedures outlined in 8-05 and 8-10 of the Charter; therefore, the following procedures shall be followed for properties valued under \$20,000 or leaseholds under 5 years in duration:

- (1) The proposed acquisition or disposition of property transfers valued at under \$20,000 shall include a review and approval of A-2 surveys and property value assessments by the Land Use Agency, with final approval and transfer by the First Selectman.
- (2) If the transfer of land between two properties is equal then the determination of the transferred property value shall be zero.
- (3) If the transfer of land between two properties is not equal, the value of the land shall be determined by the net increase or decrease in the **assessment** of the property.
- (4) If the acquisition or disposition of property involves the transfer of a parcel, the property value shall be determined by an **appraisal** of the parcel.