

Ryan Knapp, Chair  
Judit DeStefano, Vice Chair  
Neil Chaudhary  
Dan Honan  
Mary Ann Jacob  
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## TOWN OF NEWTOWN

### Minutes of the Legislative Ordinance Committee Meeting

The Ordinance Committee met on Wednesday October 4th, 2017 in Meeting Room 1 of the Municipal Center, 3 Primrose Lane, Newtown. Committee Chairman Ryan Knapp called the meeting to order at 6:30pm.

Present: Mr. Honan, Mr. Chaudhary, Mr. Eide, Ms. DeStefano and Mr. Knapp and Attorney Grogins

Absent: Ms. Jacob

### MINUTES:

Mr. Chaudhary moved to approve the minutes of 9/19/17. Ms. DeStefano seconded. All in favor (5-0)

### PUBLIC COMMENT:

None

### Old Business

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

Mr. Knapp spoke to the changes made since the last draft with most having to deal with how it was formatted.

Mr. Grogins said that these transfers rarely come up and are of low value financially. He did not feel we needed 7-163e referenced as it applies no matter what. The \$10,000 threshold for a public hearing will still apply.

Mr. Knapp clarified that a \$15,000 disposition would go through this process but still require a public hearing?

Mr. Grogins affirmed.

The group read through the languages and felt in the last section they should strike "potentially" and add "leaseholds less than 5 years" to the last line.

Mr. Edie asked about net differences over \$20,000 in land sways.

Mr. Grogins clarified they could be covered by the Charter process.

Mr. Chaudhary moved to recommend the acquisition and disposition ordinance to the Legislative Council with changes. Ms. DeStefano seconded. Motion Passes (5-0)

PUBLIC COMMENT: None.

Mr. Chaudhary moved to adjourn the meeting at 7:15, Mr. Honan seconded. All in favor (5-0)

Respectfully Submitted,

Ryan W. Knapp  
Ordinance Committee Chairman

## Acquisition and Disposition of Property Ordinance

### **§ 456-1 Purpose**

A. The purpose of this chapter is to supplement chapter 8 of the Newtown Charter as provided for in Section 8-01(b) thereof, as to all processes and procedures for the acquisition and/or disposition of Real Property, and those properties or leases excluded from the term “Real Property” in Section 8-01(a)(1) of the Charter.

### **§ 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 shall be sold unless the Board of Selectman identifies a specific use for the Real Property or gift and so informs the Legislative Council.
- (2) If the Board of Selectman identifies a proposal for an alternate use of property, the Legislative Council shall vote on the proposal within 60 days from the date the proposal is presented to it.

### **§ 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).

B. Before negotiations commence, 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 are for 5 years or less, whether or not to obtain an opinion of fair market rent shall be up to the discretion of the First Selectman.

C. If the Board of Selectmen votes 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, and all options, shall be forwarded to the Legislative Council for a public hearing to be scheduled pursuant to Section 7-163e of the General Statutes. The lease shall not be executed prior to said public hearing.

D. Following the hearing set forth in subsection (c) 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, are 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 in determining property valued under \$20,000, or leaseholds under 5 years in duration, and disposition**

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 in determining the property value: through a review and approval of A-2 surveys and property value assessments by the Land Use Agency,

(1) If the transfer of land between two properties is equal then the determination of the transferred property value shall be zero.

(2) 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.

(3) If the acquisition or disposition of property involves the transfer of a parcel, the property value shall be determined by the assessed value of the property on the most recent Grand List.

B. The First Selectman shall have the final approval of transferred property valued less than \$20,000 and leaseholds under 5 years in duration.