

Judit's Edits - in effort to truncate, so we have something brief for flyer/printed material, etc. Top is edits approved and considerations section eliminated. Bottom is showing edits.

Version with all changes accepted and considerations removed

Acquisition and Disposition of Real Property

The elimination of town meetings and a request by the Board of Selectmen to remove sealed bids and public auctions as methods of sale resulted in changes to the process for "Acquisition and Disposition of Real Property"

Key changes include:

- **Real Property Acquisition**

Proposed Charter — The Board of Selectmen is responsible for initiating the acquisition of real property. The property must be appraised by a licensed appraiser. If the acquisition requires an appropriation less than \$1.5M, the Legislative Council may authorize the acquisition. If an appropriation is over \$1.5M, a referendum is required. At least eight town officers (two Selectmen and six members of the Legislative Council) must vote in favor of the acquisition.

Existing Charter — The Legislative Council may authorize a single real property transaction up to \$500,000. A Town meeting is also required for transactions between \$500,000 and \$10M. A referendum is required, in addition to Legislative Council authorization, above \$10M. Four town officers must vote in favor of the acquisition.

- **Real Property Disposition**

Proposed Charter — The Board of Selectmen is responsible for initiating disposal of Town-owned real property. The property must be appraised by a licensed appraiser. For properties under \$1.5M, the Legislative Council, with input from all boards having an interest in the property, may authorize the disposition in accordance with Connecticut General Statutes. Properties over \$1.5M require authorization from the Legislative Council and a referendum. The process also requires signage and local publication to ensure transparency.

Existing Charter — Should the Legislative Council approve the disposition of a Town-owned property, a Town Meeting is required to authorize the disposition.

- **Method of Sale:**

Proposed Charter — Town-owned real property can be disposed of by one of two methods: public auction or private sale. The procedures for private sale will be codified in a Town Ordinance. The use of private sale requires Legislative Council authorization. The LC may consider the intended use of the property in its decision making.

Existing Charter — Town-owned real property can be disposed of by one of three methods: sealed bid, public auction, or a private sale. All properties must be sold to the highest bidder and private sales require a repetitive publish/offer procedure.

Version with changes

Acquisition and Disposition of Real Property

~~The processes for “Acquisition and Disposition of Real Property” (Section 7-90 in the existing Charter and Chapter 8 in the proposed Charter) have been modified in response to the elimination of the Town Meeting and the request by the Board of Selectmen and the Economic Development Commission to remove sealed bids and public auctions as methods of sale. The elimination of town meetings and a request by the Board of Selectmen to remove sealed bids and public auctions as methods of sale resulted in changes to the process for “Acquisition and Disposition of Real Property”~~

~~Revisions focus on processes and responsibilities, while details about procedures/steps and timelines are relegated to Town Ordinances.~~ Key processes and changes include:

- **Real Property Acquisition**

Proposed Charter — ~~The Board of Selectmen is responsible for initiating~~~~The Board of Selectmen has been added as the initiators for the process of~~ the acquisition of acquiring real property. ~~Prior to authorizing the acquisition of a property, it~~~~The property~~ must be appraised by a ~~n~~ appraiser licensed ~~or certified~~ appraiser ~~by the State of Connecticut~~. If the acquisition requires an appropriation ~~not in excess of~~ less than \$1.5M, the Legislative Council may authorize the acquisition ~~with a majority vote of at least six~~. If an appropriation ~~is in excess of~~ over \$1.5M, ~~is needed, then a referendum is also is~~ required ~~to authorize the acquisition~~.

Existing Charter — The Legislative Council may authorize a single real property transaction ~~not in excess of~~ up to \$500,000. A Town meeting is also required for transactions ~~above~~ between the Legislative Council authorization limit up to \$500,000 a value less than and \$10M. A referendum is required, in addition to a ~~majority vote of the~~ Legislative Council authorization, ~~at or~~ above \$10M.

Considerations — ~~While the~~~~The~~ Proposed Charter increases the authorization limit of the Legislative Council ~~as a result of the changes to their line with the new~~ appropriation caps resulting from the elimination of the Town Meeting, ~~it also~~. It also increases the number of Town Officers from a minimum of four, as required in the Existing Charter, to a minimum of at least eight (two Selectmen and six members of the Legislative Council) in the Proposed Charter.

- **Real Property Disposition**

Proposed Charter — The Board of Selectmen is responsible for initiating ~~the process of disposing~~ disposal of Town-owned real property. ~~Prior to authorizing the disposition of a~~~~The~~ property, ~~it~~ must be appraised by ~~an~~ appraiser ~~a~~ licensed ~~or certified~~ appraiser ~~by the State of Connecticut~~. For properties under \$1.5M, t~~The~~ Legislative Council, with input from all boards having an interest in the ~~real~~ property, may authorize the disposition in accordance with Connecticut General Statutes, ~~provided the real property is not in excess of \$1.5M.~~ Properties ~~in excess of~~ over \$1.5M require ~~both the~~ authorization ~~of from~~ the Legislative Council and a referendum ~~for authorization to dispose of the property~~. The process also requires signage and local publication to ensure ~~that the disposition is transparent to the community~~ transparency.

Existing Charter — Should the Legislative Council approve the disposition of a Town-owned property, a Town Meeting is required to authorize the disposition.

Considerations — Since the Town Meeting has been eliminated in the Proposed Charter, a new process was needed to authorize the disposition of Town-owned real property. The replacement process requires the

Comment [J1]: Eliminate considerations altogether?

Comment [J2]: Does disposal/disposition make a difference here? Should use disposal consistently if not.

approval of multiple boards, and notifications for public awareness. For properties ~~in excess of~~over \$1.5M, the Town Meeting has been replaced with both the multi-board process and a referendum.

- **Method of Sale:**

Proposed Charter — Town-owned real property can be disposed of by one of two methods: public auction or private ~~sale~~sale. The procedures for ~~the private sale should be~~will be codified in a Town Ordinance ~~and so can be amended as the Town gains experience with the method~~. The use of private sale requires ~~the~~ Legislative Council ~~to approve such a sale by a majority vote of eight~~authorization. ~~The Legislative Council may authorize the sale of the property based, in part, on a potential buyer's binding commitment to use the property for a specific purpose~~The LC may consider the intended use of the property in its decision making.

Existing Charter — Town-owned real property can be disposed of by one of three methods: sealed bid, public auction, or a private sale. ~~The use of private sale requires the Legislative Council to approve such a sale by a majority vote of eight~~. All properties must be sold to the highest bidder. ~~For and~~ private sales, ~~the highest bidder is enforced via a~~require a repetitive publish/offer procedure.

Considerations — Methods of sale need to be flexible enough for the Town to act in its best interest. At ~~limited~~ times, ~~the~~ highest bid may not be in the best interest of the town, especially for properties that are intended to support a specific public vision, like Fairfield Hills. The methods should also be transparent enough for the community to gain confidence in the process. Finally, they should not introduce unneeded complexities for efficient and effective dispositions.

Comment [J3]: This section sounds too pros/cons?

Deborra's last draft:

This document include two versions of the updated Acquisition and Disposition of Real Property, one with all changes accepted and one with changes shown. Note that the changes were significant, given our conversation last Thursday. Also, I've tried to phrase the considerations in a way that would not suggest pros and cons, rather I tried to suggest metrics with which the voters might want think about the options with (based on Judit's email).

Version with changes noted

Acquisition and Disposition of Real Property

The processes for "Acquisition and Disposition of Real Property" (~~S~~section 7-90 in the existing Charter and ~~C~~chapter 8 in the proposed Charter) have been modified ~~in response to the elimination of the Town Meeting and the request by the Board of Selectmen and the Economic Development Commission to remove sealed bids and public auctions as methods of sale, to ensure that a larger number of Town Officers are involved in both types of transactions, and require appraisals by a licensed or certified appraiser~~.

Revisions focus on processes and responsibilities, while details about procedures/steps and timelines are relegated to Town Ordinances. Key processes and changes include:

- **Real Property Acquisition**

Proposed Charter — The Board of Selectmen has been added as the initiators for the process of acquiring real property. ~~Prior to authorizing the acquisition of a property, it must be appraised by an appraiser licensed or certified by the State of Connecticut. If the value of the acquisition requires an appropriation~~proposed property is not in excess of \$1.5M ~~or more~~, ~~the~~ Legislative Council may authorize the

~~acquisition with a majority vote of at least six. If an appropriation in excess of \$1.5M is needed, then a referendum is also required to authorize the acquisition. Otherwise, the Legislative Council decides whether or not to authorize the acquisition, requiring a majority vote of at least 6 to continue with the process.~~

~~Existing Charter — The current Charter caps the value for Legislative Council may authorization of a single real property transaction not in excess of \$500,000, requiring a A Town meeting is also required for transactions above ~~that the Legislative Council authorization limit up to a value less than \$10M. A referendum is required, in addition to a majority vote of the Legislative Council, at or above \$10M.~~~~

~~Considerations — While the Proposed Charter increases the authorization limit of the Legislative Council as a result of the changes to the appropriation caps resulting from the elimination of the Town Meeting, it also increases the number of Town Officers from a minimum of four, as required in the Existing Charter, to a minimum of at least eight (two Selectmen and six members of the Legislative Council) in the Proposed Charter.~~

- Real Property Disposition

~~Proposed Charter — The current Town Meeting authorization for real property disposition has been replaced with a multi-board process as is, and if the value of the property is \$1.5M or more, a referendum is required. The Board of Selectmen is responsible for initiating the process of disposing of Town-owned real property, initiates the process and Prior to authorizing the disposition of a property, it must be appraised by an appraiser licensed or certified by the State of Connecticut. The Legislative Council, along with input from all boards having an interest in the real property, may authorizes the disposition in accordance with Connecticut General Statutes, provided the real property is not in excess of \$1.5M. Properties in excess of \$1.5M require both the authorization of the Legislative Council and a referendum for authorization to dispose of the property. The process also requires signage and local publication to ensure that the disposition is transparent to the community.~~

~~Existing Charter — Should the Legislative Council approve the disposition of a Town-owned property, a Town Meeting is required to authorize the disposition.~~

~~Considerations — Since the Town Meeting has been eliminated in the Proposed Charter, a new process was needed to authorize the disposition of Town-owned real property. The replacement process requires the approval of multiple boards, and notifications for public awareness. For properties in excess of \$1.5M, the Town Meeting has been replaced with both the multi-board process and a referendum.~~

- Method of Sale:

~~Proposed Charter — Town-owned real property can be disposed of by one of two methods: public auction or private sale. The procedures for the private should be codified in a Town Ordinance and so can be amended as the Town gains experience with the method. The use of sealed bids has been removed in the proposed Charter and the method of private sale replaced with the option of a broker-based private sale. The use of private sale still requires the Legislative Council to approve such a sale by with a majority vote of eight. In the current Charter, highest offer is required. In The Legislative Council may authorize the sale of the property based, in part, on a potential buyer's binding commitment to use the property for a specific purpose.~~

Existing Charter — Town-owned real property can be disposed of by one of three methods: sealed bid, public auction, or a private sale. The use of private sale requires the Legislative Council to approve such a sale by a majority vote of eight. All properties must be sold to the highest bidder. For private sales, the highest bidder is enforced via a repetitive publish/offer procedure.

Considerations — Methods of sale need to be flexible enough for the Town to act in its best interest. At limited times, highest bid may not be in the best interest of the town, especially for properties that are intended to support a specific public vision, like Fairfield Hills. The methods should also be transparent enough for the community to gain confidence in in the process. Finally, they should not introduce unneeded complexities for efficient and effective dispositions.