



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
Public Hearing on Ordinances
January 27, 2009

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Aldermanic President John Anglace opened the Public Hearing at approximately 7:31 p.m., immediately following the Public Hearing on Water Main Assessments. All those present pledged allegiance to the flag.

ROLL CALL

Aldermanic President John F. Anglace, Jr. - present
Alderman Lynne Farrell - present
Alderman John "Jack" Finn - present
Alderman Stanley Kudej - present
Alderman Kenneth Olin - excused
Alderman John P. Papa - present
Alderman Jason Perillo - present
Alderman Anthony Simonetti - present

1. AMENDMENT TO ORDINANCE #782 - PROCEDURE TO SELL CITY PROPERTY

The clerk read aloud the legal notice as follows:

Legal Notice - City of Shelton

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ALDERMEN WILL CONDUCT A PUBLIC HEARING ON THE FOLLOWING:

- AMENDMENT TO ORD. #782 - PROCEDURE TO SELL CITY PROPERTY

SAID PUBLIC HEARING SHALL BE CONDUCTED ON TUESDAY, JANUARY 27, 2009 IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS ON WATER MAIN ASSESSMENTS SET FOR 7:00 PM IN THE AUDITORIUM AT SHELTON CITY HALL, 54 HILL STREET, SHELTON.

ALL PERSONS WHO HAVE AN INTEREST THEREIN MAY APPEAR AND BE HEARD IN RELATION HERETO.

JANUARY 15, 2006

Alderman Anglace stated, essentially the amendment is just changing the order of when the appraisal is done. When we want to sell some City property, we get an appraisal. That appraisal is public information and it gives the prospective buyer a target as to how much they're going to bid on the property. Our thought was, change the order of appraisal and let the bids go out first and then get the appraisal after the bids come in so that we have an official appraisal for the property, and when we review whether or not to sell, we might just decide that the value has a value of "x" amount of dollars and nobody has come up to that, and we're not going to sell it, or, somebody has exceeded that - the highest bidder - and we move to sell to the highest bidder. That is the purpose of the amendment to the ordinance.

George Sender, 112 Perry Hill Road

It's not so much this part of the ordinance, it's just the overall process. I'm not sure, just to take the word that's being flashed around these days, the transparency of it. When does the City come up with the idea that they're going to sell the property? Is it a case of when somebody comes in and says, "Hey, I have an interest in that piece of property, it belongs to the City, do they want to sell it?" Is that mechanism in the works, is it already in place, is there an ordinance that covers that? I'm kind of at a loss.

The reason why I say that is, there was a point a few years ago, I had a lot on Tuxedo. The City owned surrounding property. It was recommended that there be a swap done for my lot for the City lot. And it hung me up for almost eight months while, I could never get an answer, you know, nobody could tell me why there was such a hang up. It wasn't my intent to swap the property, I was interested in buying a lot on either side, which weren't a heck of a lot but it would just increase the size of the lot that I was building on and I didn't have the restrictions to place the house where I had to on the lot that I had. I came in and asked about buying and then Mr. Kulacz said, "Hey, why don't you just look at swapping the lot and, you know, you wouldn't have to deal with anything else." In the process I just sat back and waited and waited and waited. Right now I'm sitting on a house because I couldn't finish it early enough to put it on the market, and now I'm sitting on the thing.

If I knew what was going on, it would have helped me. And yet the transparency wasn't there. Nobody could come up with answers. I'm saying right now, if you're dealing with this ordinance, then how about putting that ordinance in such a manner that you're going to say, "Okay, either, if someone comes in and wants to buy the land or the City decides to sell the piece of land, this is the process that you go through. There is a timeframe that you're going to come up with some answers," you know, 30 days, 60 days, whatever, some kind of a time definite that would be part and parcel of the ordinance. Then, you talk about going out for an appraisal or anything else - that is all part of the mechanics of doing that.

Right now, unless you have one in place and I'm not aware of it, then I think that is probably what needs to happen.

Alderman Anglace stated, there is an ordinance in place, what we're doing is amending it.

Mr. Sender asked, does it have any time definite on it? I'm not aware of it.

Alderman Anglace replied, no. It's a procedure to sell City property. We aren't going to tie ourselves down to a time frame. We're not going to say that in two weeks we'll do this and one week we'll do that. We don't think that's in the City's best interest.

Mr. Sender stated, okay. Is it in the City's best interest to sit back and let somebody hang out there? If you're asking for an 8-24 referral, shouldn't that 8-24 referral have authority 60, 90 day time frame in which to respond? It just makes sense to me that something like this shouldn't sit out there for close to a year. That's the way I'm looking at this. This is actually the first time I've seen one of these, even though when I came in and said I'm interested in doing this, well, you fill out an 8-24 referral, you know, which I did, but nobody could come up with answers for months on end. If you're going and looking at the appraisal end of it now, maybe it should say somewhere in the time frame that, you know, whatever you guys come up with as an option or possibility. I think a time definite is something that should be looked at.

Alderman Anglace stated, there are some parts of this ordinance where the person/agent goes out to bid, asks for bids on the property. That is subject to a timeframe because that's covered by Charter. Overall, there's no timeframe.

Mr. Sender stated, I'm just saying that the reason why I came up here, in order to discuss that, is maybe it's something that can be looked at. Or at least I have an interest that you guys look at it from that aspect of it.

Alderman Anglace stated, the only thing we're dealing with, I understand what you're saying, you want us to look at the whole thing. This has been adopted recently, in the last year to two years I imagine, and there was no procedure to sell City property before that. So we are trying to establish something, and as we go forward with it and see things to tweak and tweak as we're doing now. Otherwise it would be totally not in the City's best interest to get the appraisal, and dangle it in front of everybody. You know, just not the right thing to do.

Mr. Sender stated, no, I'm not saying that. The approval, I guess, is 2004 for this ordinance? Yes. I mean, I'm not saying that it's out there to dangle out there, and maybe that's exactly what I'm saying. Don't let it dangle out there, put a time frame on it. Okay?

Alderman Anglace thanked Mr. Sender.

Alderman Simonetti stated, the sixth bulleted item. I don't like the way it's worded. If the 8-24 is overridden the Board of Aldermen can then proceed to advertise that it is accepting bids with a cutoff date to receive sealed bids with a certified check equal to

10 percent of the bid price... As it's written it doesn't, as compared to the original, if you look back at the original, this is more clear.

Alderman Perillo stated, I think it would be appropriate to refer that to Counsel to see if there is a need to clarify.

Judson Crawford, 8 Jordan Avenue

Part of my question you answered this evening. The item that was put out was stating that you're having an ordinance change to Ordinance 782. Now, 782 Procedure to Sell City Property approved by you, the Board of Aldermen, and then signed by the Mayor back on July 8, 2004. The call didn't state what the amendment was going to be. But there are changes in 782 and there are changes in Ordinance 832. Which is going to be adopted?

Alderman Anglace stated, okay, good question, good pickup. Counsel will you kindly come forward to take your seat and respond to this?

Corporation Counsel Welch explained, yesterday in terms of the call of the meeting, #782, the original Procedure to Sell City Property, was amended and therefore repealed by this Board and substituted with Section #832. There is only one Procedure to Sell City Property that is an ordinance of the City of Shelton. So, in terms of the call of the meeting, in my inquiry of it, if you looked at #782 it refers you to #832 and it provides a procedure to sell City property. So 832 is the only ordinance that is currently in place with regards to the Procedure to Sell City Property, so any amendment to this would be based upon Ordinance #832, for clarification purposes. The City has one procedure to sell City property and it's Ordinance #832.

ADJOURNMENT

At 7:45 p.m., Alderman Perillo MOVED to close the Public Hearing; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

This public hearing to be immediately followed by a Special Meeting of the full Board of Aldermen.

Respectfully submitted,

Patricia M. Bruder
Clerk, Board of Aldermen

Date Submitted: _____

DATE APPROVED: _____

BY: _____

Mark A. Lauretti
Mayor, City of Shelton