

TOWN OF EAST HADDAM

AN ORDINANCE TO CREATE THE EAST HADDAM REDEVELOPMENT AGENCY FOR THE REDEVELOPMENT OF THE FORMER TOWN OFFICE AND GARAGE PROPERTY AND CERTAIN SURROUNDING PROPERTIES

BE IT ORDAINED BY THIS TOWN MEETING:

SECTION 1 – PURPOSE.

The purpose of this ordinance is the creation by the Town of East Haddam (the “Town”) of a redevelopment agency pursuant to Chapter 130, Part I (Redevelopment) of the Connecticut General Statutes, as amended (“Chapter 130”) for the redevelopment of the former Town Office and Garage Property and certain surrounding properties as shown on the map attached hereto as Exhibit A (the “Redevelopment Area”).

SECTION 2 – ESTABLISHMENT.

- (a) Establishment. There is hereby established the East Haddam Redevelopment Agency (the “Agency”). The Agency shall be a redevelopment agency of the Town pursuant to the Connecticut General Statutes, including Chapter 130, and shall be the Town’s lead agency for the redevelopment of the Redevelopment Area.
- (b) Membership, Terms of Office and Officers.
 - (i) The Agency shall consist of ten members who shall be electors resident in the Town. The members shall be appointed by the Board of Selectmen with the approval of a town meeting. Any person appointed shall serve at the pleasure of the Board of Selectmen.
 - (ii) The ten members initially appointed shall be appointed as follows: two members shall serve for one, two, three, four and five years, respectively, and thereafter two members shall be appointed annually to serve for five years. Each member shall serve until his or her successor is appointed and has qualified, and any vacancy shall be filled for the unexpired term of the applicable member.
 - (iii) Action by the Agency shall be taken only on the majority vote of all the members.
 - (iv) The Agency shall select from among its members a chair and a vice chair, and may employ a secretary and such other officers, agents, technical consultants, legal counsel and employees as it requires, subject to budgeted appropriation of the Town, or other sources of funding. No person shall cause any employee of the Agency to serve in any capacity for the purpose of promoting a political party or any member thereof.
 - (v) Members shall serve without compensation but may be reimbursed for necessary expenses.

SECTION 3 – POWERS AND DUTIES. Except as otherwise provided in this ordinance, the Agency shall have all the powers and duties of a redevelopment agency granted in Chapter 130.

- (a) Preparation and Approval of Redevelopment Plan.

- (i) The Agency shall prepare, or cause to be prepared, a redevelopment plan for the Redevelopment Area and any redeveloper may submit a redevelopment plan to the Agency in accordance with Chapter 130.
- (ii) Before approving any redevelopment plan, the Agency shall (i) transmit such plan to the East Haddam Planning and Zoning Commission for its study and written opinion, including a determination as to whether the plan is consistent with the Town's Plan of Conservation and Development, (ii) hold a public hearing on the plan, after the provision of notices required by Chapter 130, and (iii) after the public hearing, make the findings required by Chapter 130. After the Agency has approved the plan, it shall be approved at a town meeting.
- (iii) The plan shall be effective for a period of ten years after town meeting approval and may be amended as provided in this Section and in accordance with Chapter 130. The town meeting shall review the plan at least once every ten years after the initial approval and shall reapprove such plan or an amended plan at least once every ten years after the initial approval for the plan or amended plan to remain in effect.

(b) Acceptance of Funds; Financing.

- (i) For the purpose of carrying out or administering a redevelopment plan or other functions authorized under this ordinance, the Town, acting by and through the Agency, may accept grants, advances, loans or other financial assistance from the federal government, the state or other sources, and may do any and all things necessary or desirable to secure such financial assistance. To assist the Agency in connection with a redevelopment project, the Town may, upon such terms as it determines, furnish services or facilities, provide property, lend or contribute funds, and take any other action of a character which it is authorized to perform for other purposes.
- (ii) To obtain funds for the temporary and definitive financing of any redevelopment project, the Town may, in addition to other action authorized under this ordinance, Chapter 130 or any other law, levy taxes and issue and sell its temporary loan notes, bonds or other obligations. Such temporary loan notes shall be issued for a period or not more than three years subject to renewal as provided in Chapter 130. Any such bonds or other obligations issued by the Town pursuant to this subsection shall be in accordance with such statutory and other legal requirements as govern the issuance of obligations generally by the Town.

(c) Bonds; Authorization; Issuance by Connecticut Innovations, Incorporated.

- (i) For the purpose of carrying out or administering a redevelopment plan or other functions authorized under this ordinance and Chapter 130, the Town, acting by and through the Agency, is authorized to issue bonds, notes and such other obligations of the Town ascribed in Chapter 130, or to issue bonds, notes and such other obligations through the Connecticut Innovations, Incorporated for a specified project, which are payable solely from and secured by: (a) a pledge of and lien upon any or all of the income, proceeds, revenues and property of redevelopment projects; (b) taxes or payments in lieu of taxes, or both, in whole or in part, allocated to and paid into a special fund of the Town for the payment of debt service, bond repurchases and other bonding costs and amounts pursuant to the provisions of the Connecticut General Statutes; or (c) any combination of the methods in (a) and (b) of this subsection.

- (ii) Any bonds payable and secured as provided in this Section shall be authorized by a resolution adopted by a town meeting.

(d) Acquisition or Rental of Real Property; Limitation on Use of Eminent Domain.

- (1) Within a reasonable time after its approval of the redevelopment plan, the Agency may proceed, if necessary, with the acquisition or rental of real property by purchase, lease, exchange or gift.
- (2) The Agency may acquire real property, or interests therein, within the boundary lines of the Redevelopment Area by eminent domain with the approval of a town meeting, provided:
 - (a) the acquisition shall comply with the procedures and requirements, and be subject to those limitations set forth, in the Connecticut General Statutes, including, without limitation, Chapter 130 thereof.
 - (b) the acquisition of any property, or interests therein, that would prohibit or restrict access to real property upon which there is an inhabited residential structure shall be prohibited; and
 - (c) the acquisition of the properties labeled as “Privately Owned” on the attached map shall be prohibited.

(e) Transfer, Sale or Lease of Real Property.

- (1) The Agency may sell, lease or otherwise transfer for such sums as are agreed upon the whole or any part of the real property within the Redevelopment Area to the redeveloper or, if the real property is to be used for public purposes, to an appropriate public agency.
- (2) Each contract for sale, lease or other transfer shall be subject to those requirements set forth in Chapter 130.
- (3) Any contract for sale, lease or other transfer shall be approved by a town meeting and/or referendum before its final approval by the Agency.

(f) Records and Meetings of the Agency

- (1) All records of the Agency shall be filed with the Town Clerk of the Town and open to public inspection in accordance with the applicable Connecticut General Statutes.
- (2) All meetings of the Agency shall be open to the public in accordance with Connecticut General Statutes subject to exclusion for executive session as provided in said statutes.

SECTION 4 – DEFINITIONS. All terms used in this ordinance which are defined in Chapter 130 of the Connecticut General Statutes shall have the meanings set forth in said Chapter 130.

SECTION 5 – SUMMARY PUBLICATION OF ADOPTION. Upon the adoption of this ordinance, a summary of the ordinance shall be published in lieu of the complete text of the ordinance.