

TOWN OF PRESTON

AN ORDINANCE TO ESTABLISH A REDEVELOPMENT AGENCY FOR THE
REDEVELOPMENT OF THE FORMER NORWICH STATE HOSPITAL PROPERTY

BE IT ORDAINED BY THIS TOWN MEETING:

SECTION 1 - PURPOSE.

The purpose of this ordinance is to establish a redevelopment agency, pursuant to Chapter 130, Part I of the Connecticut General Statutes (the “General Statutes”), for the redevelopment of the former Norwich State Hospital property, which property was acquired by the Town of Preston on March 12, 2009 and is shown on the attached map (the “Property”).

SECTION 2 – ESTABLISHMENT OF THE PRESTON REDEVELOPMENT
AGENCY.

(A) Establishment. There is hereby established the Preston Redevelopment Agency (the “Agency”). The Agency shall be a redevelopment agency of the Town pursuant to the General Statutes and shall be the Town’s lead agency for the redevelopment of the Property.

(B) Members; Terms of Office; Officers.

(1) The Agency shall consist of ten members who shall be electors resident in the Town of Preston. 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.

(2) The ten members first appointed shall be appointed as follows: two members each 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.

(3) Action by the Agency shall be taken only on the majority vote of all the members.

(4) The Agency shall select from among its members a chairman and a vice-chairman, and may employ a secretary and such other officers, agents, technical consultants, legal counsel and employees as it requires, subject to budgeted appropriations 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.

(5) 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 of the powers and duties of a redevelopment agency granted in the General Statutes.

(A) Preparation and Approval of Redevelopment Plan.

- (1) The Agency shall prepare, or cause to be prepared, a redevelopment plan for the Property and any redeveloper may submit a redevelopment plan to the Agency.
- (2) Before approving any redevelopment plan, the Agency shall (i) transmit such plan to the Preston Planning and Zoning Commission for its study and for its written opinion, including a determination on whether the plan is consistent with the Town's plan of conservation and development, (ii) hold a public hearing on the plan, and (iii) after the public hearing, make the findings required by the General Statutes. After the Agency has approved the plan, it shall be approved at a town meeting.
- (3) 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 the General Statutes. 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 in order for the plan or amended plan to remain in effect.

(B) Acceptance of Funds; Financing.

- (1) 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 source, and may do any and all things necessary or desirable to secure such financial aid. To assist the Agency, the Town may, upon such terms as it determines, furnish service 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.

(2) 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 or 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 of not more than three years. 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 Development Authority.

(1) 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, is authorized to issue bonds of the Town, or to issue bonds through the Connecticut Development Authority 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, allocated to and paid into a special fund of the Town for the payment of debt service, bond repurchases and other bonding costs pursuant to the provisions of the General Statutes; or (c) any combination of the methods in (a) and (b) of this subsection.

(2) 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 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 Property by eminent domain with the approval of a town meeting, provided:

(a) the acquisition shall comply with the procedures and requirements in the General Statutes;

(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.

(3) The Town ordinance entitled “An Ordinance Prohibiting Eminent Domain for Certain Purposes” as approved at the November 1, 2005 Town Meeting, shall not apply to the Agency’s eminent domain proceedings and acquisitions allowed under this ordinance.

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

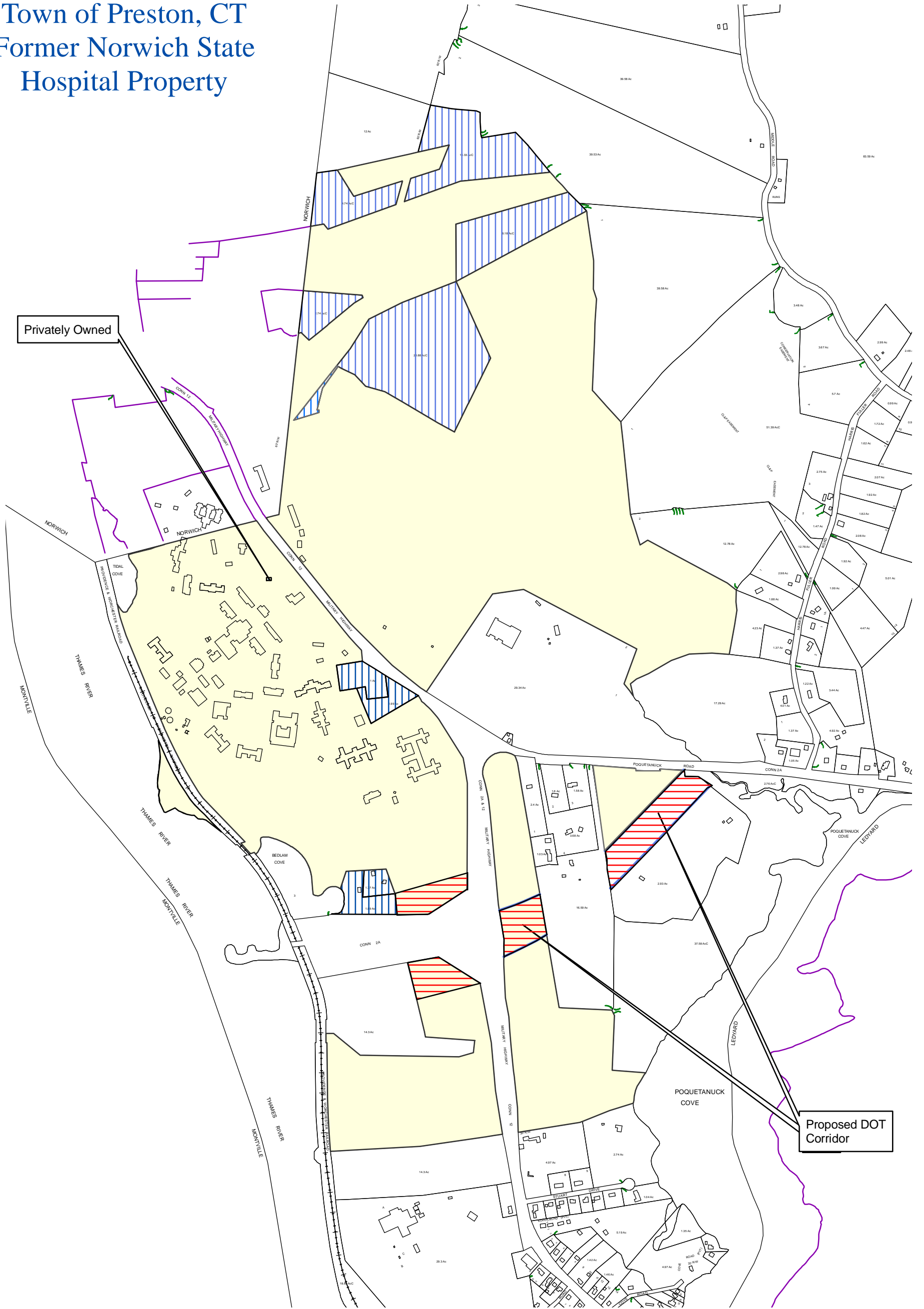
(1) The Agency may sell, lease or otherwise transfer for such sums as are agreed upon the whole or any part of the real property within a redevelopment area to the redeveloper or, if the real property is to be used for public purposes, to an appropriate public agency.

(2) Any contract for sale, lease or other transfer shall be approved by a town meeting before its final approval by the Agency.




SECTION 4 – 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.

This ordinance shall be effective fifteen (15) days after the date of publication.

Town of Preston, CT Former Norwich State Hospital Property



Legend

-  Privately Owned
-  Former Norwich State Hospital
-  Proposed DOT Parcel

THIS MAP IS PREPARED FOR THE INVENTORY OF REAL PROPERTY FOUND WITHIN THESE JURISDICTIONS AND IS COMPILED FROM RECORDED DEEDS, PLATS, AND OTHER PUBLIC RECORDS AND DATA. USERS OF THE MAP ARE HEREBY NOTIFIED THAT THE AFOREMENTIONED PUBLIC PRIMARY INFORMATION SOURCES SHOULD BE CONSULTED FOR VERIFICATION OF THE INFORMATION CONTAINED ON THIS MAP. THE TOWNS AND THE MAPPING COMPANIES ASSUME NO LEGAL RESPONSIBILITIES FOR THE INFORMATION CONTAINED ON THIS MAP. HORIZONTAL DATUM BASED ON THE CONNECTICUT STATE PLANE COORDINATE SYSTEM, NAD83
April 22, 2009