



Legislation Text

File #: 23-1734, **Version:** 1

RESOLUITON

Motion/Request:

Discussion and possible action to revise “*Resolution Administrative Control of Town-Owned or Town-Leased Property*”.

Background:

The LUPPW Committee has been working to update the Appendix to the “*Resolution Administrative Control of Town-Owned or Town-Leased Property*”.

The Resolution itself was last updated on November 12, 2008. To conduct a thorough exercise the Resolution has been included for review.

Resolution:

RESOLUTION ESTABLISHING ADMINISTRATIVE CONTROL OF TOWN OWNED OR TOWN LEASED PROPERTIES

WHEREAS, the Town Council recognizes the need for administrative control of town owned properties or town leased properties.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council that the hereinafter listed real properties owned or leased by the Town of Ledyard, shall be under the administrative control of the respectively listed Town agencies.

BE IT FURTHER RESOLVED, that for the purposes of this resolution, the term "administrative control" shall be defined as follows:

Having the authority to grant permissions for temporary use of the property by groups or individuals; and having the authority to make minor improvements or enhancements to the property which will not change the overall character or use of the property; and having the responsibility to maintain the property in such as way that its present uses may be continued; and having the responsibility to protect the Town from civil or criminal liability in connection with the property.

BE IT FURTHER RESOLVED, that it is understood that the Town Council or the Town Meeting retains the

responsibility for deciding when any Town owned real property shall be permanently altered, capitally improved, used for totally different purposes, leased, or transferred; subject only to the stipulations and approvals which State or Federal laws may require.

BE IT FURTHER RESOLVED, that these designations of administrative control shall take effect immediately upon the adoption of this resolution and shall continue indefinitely until such time as they may be rescinded by the Town Council. When new properties are acquired by the Town of Ledyard, they shall be under the administrative control of the Town Council until such time as the Town Council may assign that control to another agency.

BE IT FURTHER RESOLVED, that a list of real properties owned or leased by the Town of Ledyard, and its designation of administrative control , as may be amended from time to time by the Town Council, is hereby incorporated in this Resolution as fully set forth herein; and shall be filed with the Town Clerk when established and when amended.

BE IT FURTHER RESOLVED: That the Resolution Establishing Administrative Control of Town Owned or Town Leased Properties adopted on October 27, 1979 and amended at the Town Council meetings of April 27, 1977, October 12, 1977, January 11, 1978; April 12, 2000 is hereby repealed.

Adopted by the Ledyard Town Council on: November 12, 2008

John A. Rodolico, Chairman _____

Mayor Comment/Recommendation:

(type text here)

Body:

(type text here)

Meeting Action Detail:

Land Use/Planning/Public Works Committee Meeting 07/03/2023:

File #: [23-1734](#) Version: 1

Type: Land Use

Title: Discussion and possible action to revise "*Resolution Administrative Control of Town-Owned or Town-*

Leased Property".

Action: Continued

Minute Note:

Land Use/Planning/Public Works Committee Meeting 06/05/2023:

File #: [23-1734](#) Version: 1

Type: Land Use

Title: Discussion and possible action to revise "*Resolution Administrative Control of Town-Owned or Town-Leased Property*".

Action: Continued

Minute Note:

Councilor Paul explained that he asked that "*Resolution Administrative Control of Town-Owned or Town-Leased Property*" dated November 12, 2008 be included on tonight's agenda because he was confused regarding "Administrative Control" noting the following:

Administrative Control:

"Having the authority to grant permissions for temporary use of the property by groups or individuals; and having the authority to make minor improvements or enhancements to the property which will not change the overall character or use of the property; and having the responsibility to maintain the property in such as way that its present uses may be continued; and having the responsibility to protect the Town from civil or criminal liability in connection with the property".

"....the Town Council or the Town Meeting retains the responsibility for deciding when any Town owned real property shall be permanently altered, capially improved, used for totally different purposes, leased, or transferred; subject only to the stipulations and approvals which State or Federal laws may require".

Land Use Director Juliet Hodge stated the only Commission that can say anything about use, either temporary or otherwise was the Planning & Zoning Commission.

Councilor Paul noted that the Resolution stated "*....the Town Council or the Town Meeting retains the responsibility for deciding when any Town owned real property shall be permanently altered, capially improved, used for totally different purposes, leased, or transferred; subject only to the stipulations and approvals which State or Federal laws may require*". Therefore, he stated a Commission could go to the Town

Council, as the Legislative Body and Financial Arm, to seek approval to make changes to a property.

Ms. Hodge noted on the Town-owned/Town-leased Property List that the LUPPW Committee has been working to update, that there was an Open Space Subdivision parcel that was listed as a *vacant lot* and in the Recommendation/Note Column it stated, “*Recommend the Mayor Sell*”. She stated the town could not just sell a property, unless they went back to the Subdivision. Administrative Assistant Roxanne Maher noted that this issue was discussed at the LUPW Committee’s May 1, 2023 meeting. She explained that the note “*Mayor to Sell*” was only a note and not a change in the administrative assignment of the property. The suggestion/notes were pertaining to small slivers of land, which an adjacent property owner may be interested in buying, putting the property back on the tax rolls and removing it from the town’s responsibility. She stated to sell any town-owned property that they would have to follow the process outlined in the Town Charter and follow State Statute as they did earlier this evening when they addressed New Business Item #1 (see above). She stated the Mayor was aware that he could not just sell town-owned property. Ms. Hodge stated all of the Open Space Subdivision properties needed to be changed and identified as such (i.e. vacant not building, etc.).

Councilor Paul stated all the LUPPW Committee was doing was assigning Administrative Control not assigning names to the properties.

Councilor Paul asked the LUPPW Committee to review the “*Resolution Administrative Control of Town-Owned or Town-Leased Property*” to discuss at their July 3, 2023 meeting as to whether any clarification or revisions were needed.

[Action: Continued](#)