

**TOWN OF SPRINGFIELD
NOTICE OF ADOPTION
ORDINANCE 2018-1**

Pursuant to Vermont Statutes Annotated, Title 24, Section 1971 and Springfield Town Charter Article One § V, The Town of Springfield, Vermont Selectboard held a Public Hearing on January 29, 2018 to receive public input on a proposed Ordinance to the Administrative Code, Chapter 16. Acquisition and Disposition of Real Property, Article I. In General Section 16-1 to 16-25 *reserved* Article II. Procedure for Acquisition and Disposition of Real Property §16-26 – 16-30. Following the Public Hearing, the Selectboard held a Regular Board Meeting on February 26, 2018 and adopted the proposed Ordinance.

The newly adopted Ordinance amends the Town Code to add Chapter 16, Acquisition and Disposition of Real Property, Article I. In General Section 16-1 to 16-25 *reserved* Article II. Procedure for Acquisition and Disposition of Real Property §16-26 – 16-30.

The newly adopted Ordinance amending Town Code will become effective on April 27, 2018 unless a petition containing the signatures of at least five percent (5%) of the legal voters of the Town of Springfield is filed with the Town Clerk no later than 4:30 PM on April 11, 2018 requesting a meeting of the Town Voters to vote on the question of disapproving the Ordinance 2018-1.

Copies of the ordinance amendment are available at the Town Manager's office at the Springfield Town Office between the hours of 8:00 AM and 4:30 PM, Monday through Friday or by visiting the Springfield Town Office website at www.springfieldvt.govoffice2.com/. Questions concerning the ordinance may be addressed to:

Tom Yennerell, Town Manager
Springfield Town Office
96 Main Street
Springfield, VT 05156
(802) 885-2104

Town of Springfield
Selectboard

REAL PROPERTY CONVEYANCE ORDINANCE
TOWN OF SPRINGFIELD
Ordinance 2018-1

SHORT TITLE: An ordinance to amend the Administrative Code;
Added: Chapter 16. Acquisition and Disposition of Real Property
Added: Article I. In General Section 16-1 to 16-25 *reserved*
Added: Article II. Procedure for Acquisition and Disposition of Real
Property
Added: §16-26 - §16-30

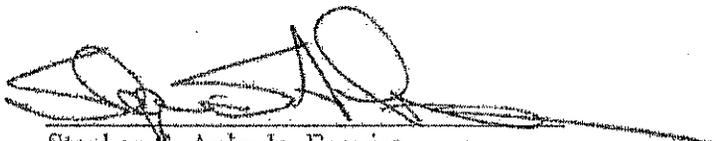
CATEGORY: New Legislation

PROCEDURE: 1) Introduction-First Review: Read at regular Select Board meeting
on January 8, 2018 and entered in the minutes of that meeting
which were approved on 01/08/2018 .
2) Second Review and Public Hearing: 01/29/2018 .
3) Notice of Hearing posted in public places on 01/17/2018
and published on 01/17/2018 .
4) Second Second Review and Public Hearing: 02/26/2018 .
5) Notice of Hearing posted in public places on 02/14/2018
and published on 02/14/2018 .
6) Date of adoption 02/26/2018 .
7) Other actions.

AUTHORITY: This ordinance is adopted by the Select Board of the Town of Springfield
under authority of Springfield Charter Art. One, §V and Art. One §IX.

PURPOSE: It is the purpose of this ordinance to add Chapter 16, Article I Acquisition
and Disposal of Real Property. The procedure for the acquisition and
disposal of real property is required by Charter to be set forth in an
Ordinance. This Ordinance outlines that procedure.

Approved as to form on: January 8, 2018.
And as revised on: January 29, 2018 .
And as revised on: _____
And as adopted on: February 26, 2018


Stephen S. Ankuda, Esquire
Town Attorney

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SECTION 16-26. AUTHORIZATION TO ENTER INTO CONTRACTS AFFECTING REAL PROPERTY. The Selectboard shall have the authority consistent with the Vermont Open Meeting Law Title 1 V.S.A. § 310-318 to directly or through the Town Manager negotiate and during Executive Session authorize the Town to enter into purchase and sale agreements affecting real property and acquire real property consistent with the procedures set forth in the following sections of this Chapter.

SECTION 16-27. ACQUISITION OF REAL PROPERTY. The Selectboard is authorized to expend Town funds to acquire real property without prior public disclosure of such intended acquisition, provided the Selectboard announces at the next regular or special Selectboard meeting called for such purpose to specify in the proposed Agenda for such meeting the discussion of such acquisition and with such Agenda including a clear and concise statement as to the terms of such acquisition, the reason for such acquisition, and an explanation as to why prior public disclosure of such acquisition would subject the Town to some disadvantage or harm.

SECTION 16-28. CONVEYANCE OF REAL PROPERTY HELD OTHER THAN IN A FIDUCIARY CAPACITY OR FOR SPECIAL PURPOSES. Real property held other than for special purposes or in a fiduciary capacity may be conveyed in accordance with the following provisions:

(a) If the Selectboard desires to convey municipal real estate, the Selectboard shall give notice of the terms of the proposed conveyance by posting a notice in at least three public places within the municipality, one of which shall be in or near the municipal clerk's office. Notice shall also be published in a newspaper of general circulation within the Town of Springfield. Such posting and publication shall occur at least 30 days prior to the date of the proposed conveyance. Unless a petition is filed in accordance with Subsection (b), the Selectboard may authorize the conveyance.

(b) If a petition signed by five percent (5%) of the registered voters of the Town objecting to the proposed conveyance is presented to the Town Clerk within 30 days of the date of posting and publication of the notice required by Subsection (a) of this section, the Selectboard shall cause the question of whether the municipality shall convey the real estate to be considered at a special or annual meeting called for that purpose. After the meeting, the real

estate may be conveyed unless a majority of the voters of the Town vote to disapprove the conveyance.

(c) As an alternative to the procedure set forth in Subsections (a) and (b) of this section, the Selectboard may elect to have the voters decide, at an annual or special meeting for that purpose, whether the real estate should be conveyed. If a majority of the voters of the Town present and voting vote to approve the proposed conveyance, the real estate may be conveyed.

SECTION 16-29. DISPOSITION OF REAL PROPERTY ACQUIRED BY THE TOWN IN A FIDUCIARY CAPACITY. In all circumstances where the Town acquires title to real property in its fiduciary capacity such as by way of purchase at a tax sale or other operation of law or process, the Town Manager shall be authorized to contract and dispose of such property on behalf of the Town and without prior Selectboard approval.

SECTION 16-30. CONVEYANCE OF SPECIAL PURPOSE REAL PROPERTY. Notwithstanding the provisions of Sections 16-27 and 16-28 above, the Selectboard may authorize the conveyance of Town real property if the conveyance:

(1) Is directly related to the control, maintenance, operation, improvement or abandonment of a public water, sewer or electric system.

(2) Is directly related to the control, maintenance, construction, relocation or abandonment of highways.

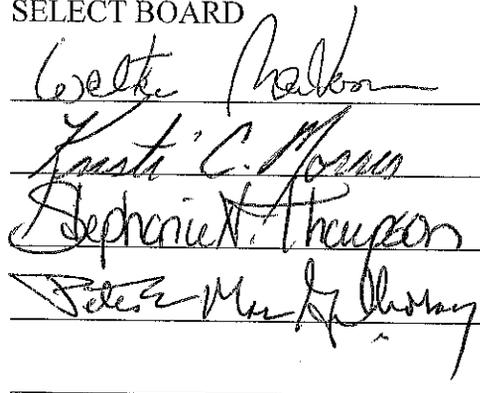
(3) Involves real estate used for housing and urban renewal projects under Chapter 113 of Title 24 of the Vermont Statutes Annotated.

(4) Is real property held as part of a redevelopment plan adopted by the Selectboard.

DATED:

February 26, 2018

SELECT BOARD


The image shows four handwritten signatures in cursive, each written over a horizontal line. The signatures are: 1. Gretchen Carlson, 2. Kristi C. Morris, 3. Deborah N. Thompson, and 4. Peter M. L. Johnson.