

**Adopted 10-18-22 R.no.604**

**Community Preservation Fund Property Acquisition Procedure**

1. Community Preservation Fund application for potential acquisition of real property, is submitted to the CPF Advisory Board, either by a property owner or a member of the CPF Advisory Board;
2. CPF Advisory Board discusses in Executive Session whether such property should be recommended to the Town Board for acquisition. During said discussion the CPFAB may engage the assistance of any applicable Town official in rendering its recommendation;
3. If acquisition is recommended, upon majority vote, then the Chair of the CPF Advisory Board shall present such a recommendation to the Town Board during an executive session;
4. If the CPF Advisory Board , upon majority vote, elects not to recommend the subject property then the Chair will present such determination to the Town Board during an executive session;
5. If the Town Board elects to pursue such acquisition, the Town Engineer shall preliminarily review the subject property, issue a report to both the Town Board and the CPF Advisory Board, upon receipt of same the CPF Advisory Board will order an appraisal of the subject property (to include criteria required by the Town Board) as well as reach out to possible partners in the potential purchasing thereof;
6. Once the appraisal is issued, the CPF Advisory Board will meet in Executive Session to discuss same and determine an offer;
7. The Chair of the CPF Advisory Board will present the proposed offer to the Town Board in an Executive Session;
8. If the Town Board decides to proceed with the purchase, then the CPF Advisory Board will prepare and forward a written 30-Day offer to purchase to the property owner;
9. If the offer is accepted, a contract (contingent on a public hearing) will be drafted by Counsel to the CPF Advisory Board;
10. Once the contract is signed by the property owner a resolution will be issued by the Town Board scheduling a Public Hearing and making a SEQRA determination;
11. A Public Hearing will occur where the Chair of the CPF Advisory Board will present the potential purchase to the Town Board and the Town Board will specify the intended use, or potential uses, of the subject property;

12. After the Public Hearing is closed and the Town Board decides to proceed with the purchase, a resolution will be issued making a finding that the subject acquisition was “the best alternative for the protection of community character of all the reasonable alternatives available to the Town”, and further authorize the Supervisor to execute the subject contract.
13. The Supervisor will then execute the subject contract and the CPF Advisory Board Attorney will handle the closing.
14. If after the Public Hearing, the Town Board elects not to purchase the subject property, the reasoning behind such determination shall be provided in a resolution.