



**AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
NOVEMBER 16, 2009
7:00 PM**

**PROCLAMATION RECOGNIZING STU BRYER FOR HIS MANY YEARS OF
UNSELFISH COMMITMENT TO THE RADIO TALK SHOW LISTENERS AND
DECLARE NOVEMBER 16, 2009 AS STU BRYER DAY IN THE ROSE CITY**

CITIZEN COMMENT

PETITIONS AND COMMUNICATIONS

1. Letter of resignation from Stanley Israelite from the Norwich Utilities Board of Commissioners and Sewer Authority.

CITY MANAGER’S REPORT

REPORTS OF COMMITTEES

1. Report from the Commission on the City Plan on AN AMENDMENT TO THE CITY ZONING ORDINANCE CHAPTER 1, SECTION 1.0, TO ADD SECTION 1.47.2, DEFINITION OF RESORT.

PUBLIC HEARING

1. AN AMEMDMENT TO THE CITY ZONING ORDINANCE CHAPTER 1, SECTION 1.0, TO ADD SECTION 1.47.2, DEFINITION OF RESORT.
2. AN ORDINANCE EXEMPTING THE HAITIAN HEALTH FOUNDATION, INC. FROM THE PAYMENT OF TAXES ON CERTAIN PROPERTY LOCATED AT 89 SHERMAN STREET

SECOND READING AND ACTION ON ORDINANCES

NEW BUSINESS RESOLUTIONS

1. Relative to the purchase and sales agreement of the Norwich Hospital property for the sum of \$1.00.
2. Relative to the proposed Norwich Golf Course Budget.
3. Relative to the transfer of motor vehicle and personal property taxes to suspense.
4. Relative to the appointment of Edward Derr to the Community Development Advisory Committee.

CITIZEN COMMENT

A handwritten signature in black ink, appearing to read "Sandra Derr". The signature is fluid and cursive, with a prominent loop at the end.

CITY CLERK

PROCLAMATION

WHEREAS, **Stu Bryer** is a dedicated husband to Carol, loving father and proud grandfather to three, Mallory, Elsie and Mae; and

WHEREAS, **Stu Bryer** was born in Boston, Massachusetts and attended Broadcasting School bringing him to Radio Talk Show and Music in Westerly, RI from 1965 to 1970; and

WHEREAS, **Stu Bryer** continued his career in broadcasting as music director at WICH starting in 1970 and went on to earn six Gold Records for Breaking Hits; and

WHEREAS, **Stu Bryer** entertained listeners with “**The Stu Bryer Oldies Show with Stump St-Terrific Tunes on The Potpourri Stu Bryer Talk Show**”; and

WHEREAS, **Stu Bryer** invited politicians, businessmen, authors, celebrities and health professionals on the air for the enjoyment and enlightenment of his audience allowing them personal conversations with the guests; and

WHEREAS, **Stu Bryer** is the familiar and comforting voice many residents of the Rose City faithfully tune in to, call just to chat with, and after forty-four years in broadcasting call their “*friend*”.

NOW THEREFORE, WE, MAYOR BENJAMIN P. LATHROP AND ALDERMAN JONATHAN J. JACARUSO CITY COUNCIL PRESIDENT PRO TEM, ON BEHALF OF THE NORWICH CITY COUNCIL AND THE CITIZENS OF THE CITY OF NORWICH, do hereby recognize **Stu Bryer** for his many years of unselfish commitment to the Radio Talk Show listeners and declare November 16, 2009 as *Stu Bryer Day* in the Rose City.

**Dated this Sixteenth Day of November, 2009
The Three Hundred Fiftieth Year of the Founding of the City of Norwich, CT**

Benjamin P. Lathrop
Mayor

Alderman Jonathan J. Jacaruso
President Pro Tem

PETITIONS AND COMMUNICATIONS #1

Stanley Israelite
4 Capri Drive
Norwich, CT 06360

November 6, 2009

Mayor Benjamin Lathrop
City of Norwich
Norwich City Hall
100 Broadway
Norwich, CT 06360

Dear Mayor Lathrop,

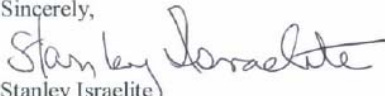
After 26 years of service, it is with mixed emotions that I submit my resignation from the Norwich Public Utilities Board of Commissioners and Sewer Authority. My resignation is effective November 6, 2009.

Since originally joining the utility board in 1982, it has been my genuine privilege to serve Norwich in this capacity. The energy industry experienced many significant changes during my tenure as commissioner. Advances in technology, the arrival of eastern Connecticut's two casinos and the development of the Norwich Business Park have changed our city just as significantly. What remains unchanged however is the importance of electricity, natural gas, water and sewer services to the people who make up our local community and business environment.

In 1904, Norwich leaders made a wise decision when choosing to purchase the Norwich Gas and Electric Company. At the time, I'm sure they debated the wisdom of such a risk. Yet, hindsight shows clearly that owning our local utility empowers us to achieve community development goals that otherwise might not be realized. In my roles as utility board member, constituent advocate, economic development professional and Norwich citizen, the local commitment and competency demonstrated by Norwich Public Utilities has always been clear. It is my sincerest hope that in the days, months and years to come, Norwich leaders will continue to see this same wisdom.

Again, I extend my thanks and gratitude to you and the people of Norwich, Connecticut.

Sincerely,


Stanley Israelite

CITY OF NORWICH
Commission on the City Plan
23 Union Street, Norwich, CT 06360
Telephone: (860) 823-3766, Fax: (860) 823-3715

Ralph Page, Chairman

Jeremy Booty, Vice-Chairman

November 4, 2009

TO: THE HONORABLE MAYOR AND ALDERPERSONS OF THE COUNCIL OF THE CITY OF NORWICH

AN AMENDMENT TO THE CITY ZONING ORDINANCE CHAPTER 1, SECTION 1.0, TO ADD SECTION 1.47.2, DEFINITION OF RESORT

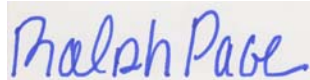
At the meeting of the Council of the City of Norwich (Council) held **October 5, 2009**, the ordinance described above was introduced and referred to the Commission on the City Plan (Commission) for a report pursuant to Chapter XV, Section 4 of the City Charter.

The Commission on the City Plan, at its **October 20, 2009** regular meeting reviewed the above-referenced referral.

Seated were Chairman Ralph Page, Arthur Sharron, Les King and John Mathieu.

Although the Commission supports the idea of adding the definition of "Resort" to Section 1.0 of the Zoning Regulations, it was the opinion of the Commission that the wording of the definition needed to be carefully crafted. After careful consideration, the Commission voted unanimously to recommend the Council research through Planning Staff & Connecticut Conference of Municipalities for an acceptable definition.

Respectfully submitted,



Ralph Page, Chairman

RP/tpc

Pc: City Clerk, City Manager, ZEO

PUBLIC HEARING #1

An Ordinance

Be it Ordained by the Council of the City of Norwich, Connecticut that Chapter 1, Section 1.0 of the Norwich Zoning Ordinance is hereby amended by inserting the following:

1.47.2. **Resort** means a development in excess of 10 acres that is principally intended to provide vacationers, visitors or seasonal residents with recreational and relaxation facilities such as golf courses, cross-country skiing trails, fishing docks or piers, boat/canoe/kayak launches and or conference facilities.

**Alderman Robert Zarnetske
Alderman Peter Nystrom**

PUBLIC HEARING #2

AN ORDINANCE EXEMPTING THE HAITIAN HEALTH FOUNDATION, INC. FROM THE PAYMENT OF TAXES ON CERTAIN PROPERTY LOCATED AT 89 SHERMAN STREET

WHEREAS, that certain property located at 89 Sherman Street, Norwich, Connecticut was purchased by the Haitian Health Foundation, Inc. on November 21, 2008 to be used for charitable purposes; and,

WHEREAS, said property since November 21, 2008 has been used for charitable purposes by the Haitian Health Foundation, Inc.; and,

WHEREAS, said property would not be tax exempt on the Grand List of October 1, 2008; and,

WHEREAS, Connecticut General Statute Section 12-81b provides that any municipality may, by ordinance, provide that the property tax exemption authorized by any of subdivisions (7-16), inclusive, of section 12-81, shall be effective as of the date of acquisition of the property to which the exemption applies and shall, in such ordinance, provide a procedure for reimbursement of the tax-exempt organization for any tax paid by it for a period subsequent to said date; and,

WHEREAS, Connecticut General Statute Section 12-81(7) provides that real property, owned by any corporation organized exclusively for charitable purposes and used for charitable purposes, shall be exempt from taxation; and,

WHEREAS, the Haitian Health Foundation, Inc., has paid the annual real estate taxes on the Grand List of October 1, 2008 for the property located at 89 Sherman Street in the total amount of \$3,361.64; and,

WHEREAS, the Haitian Health Foundation, Inc., owned the property located at 89 Sherman Street for a period of 313 days on the October 1, 2008 grand list; and,

WHEREAS, the daily taxes for the property located at 89 Sherman Street are \$9.21; and,

WHEREAS, the Haitian Health Foundation, Inc. would be entitled to a reimbursement in the amount of \$2,882.73; 313 days multiplied by \$9.21.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that such property at 89 Sherman Street be and hereby is exempted from the payment of any real estate taxes, interest or penalty due on the Grand List of October 1, 2008 commencing November 21, 2008, and the City of Norwich shall reimburse the Haitian Health Foundation, Inc. for any City of Norwich real estate taxes paid by it on the Grand List of October 1, 2008 for the period subsequent to November 21, 2008; which reimbursement shall be in the sum of \$2,882.73 for real estate taxes paid to the City of Norwich.

Purpose: To reimburse the Haitian Health Foundation, Inc. for taxes paid to the City of Norwich on the grand list of October 1, 2008 for property used for a charitable purpose located at 89 Sherman Street.

Mayor Benjamin P Lathrop

RESOLUTION #1

WHEREAS, the City of Norwich and the State of Connecticut acting through its Department of Public Works have entered into a Purchase and Sales Agreement dated July 31, 2006, approved by the office of the Attorney General of the State of Connecticut on January 24, 2007, pertaining to the sale of approximately 61+/- acres of land commonly known as the Norwich portion of the Norwich State Hospital property as more particularly described in the Agreement; and

WHEREAS, said Agreement provides among other things that the State of Connecticut will sell said property to the City of Norwich for the sum of One Dollar (\$1.00) and other good and valuable considerations, the purchase price to be paid to the State of Connecticut at the time of closing; and

WHEREAS, said Agreement further provides that in order to effectuate a closing, the City of Norwich, as Buyer, must provide notice to the State of Connecticut, as Seller, of its intent to purchase the property which notice may be given at any time after the approval of the Agreement by the Attorney General of the State of Connecticut up to the date that is the third anniversary of the Agreement approval date; and

WHEREAS, said Agreement further provides that all notices required or permitted to be given under the Agreement shall be in writing addressed to the Seller at State of Connecticut, Department of Public Works, 165 Capital Avenue, Hartford, Connecticut 06106-1606, Attention: Commissioner, Telecopy: 860-713-7253 and Attention: Legal Services Division, Telecopy: 860-713-7269 with a copy to Updike Kelly & Spellacy, P.C., One State Street, Hartford, Connecticut 06123-1277, Attention: Susan Hays, Telecopy: 860-548-2680; and

WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the city of Norwich to acquire said property from the State of Connecticut for the price of One Dollar (\$1.00) and to effectuate a closing on the property by giving notice to the State of Connecticut of its intent to purchase the property as called for in the Agreement.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that City Manager Alan H. Bergren be and hereby is authorized and directed to send a notice of intention on the part of the City of Norwich to purchase the property described in the Purchase and Sales Agreement from the State of Connecticut for the sum of One Dollar (\$1.00) as called for in the Agreement and to take such steps and actions as are necessary to arrange and effectuate a closing; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the sum of One Dollar (\$1.00) be and hereby is appropriated from Account No. 01065-81000 from the Economic Development Project Contingency Account to purchase said property.

Alderman Jonathan Jacaruso

RESOLUTION #2

WHEREAS, an agreement between the City of Norwich and the Norwich Golf Course Authority in effect at the time of the acquisition of the golf course provided that the Norwich Golf Course Authority might not expend more than \$100,000 in any one year without the approval of the Council of the City of Norwich; and

WHEREAS, the Norwich Golf Course Authority has annually advised the Council of the City of Norwich of its expected revenues and expenses for the upcoming calendar year; and

WHEREAS, the Norwich Golf Course Authority anticipates it needs to expend additional funds during calendar year 2010 to meet operating and capital improvement expenses; and

WHEREAS, the Norwich Golf Course Authority expects to receive revenue of \$1,149,700.00 from operations during 2010 and to expend the same.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY NORWICH that the Norwich Golf Course Authority be and hereby is authorized to expend \$1,149,700.00 in order to cover the cost of anticipated expenses during calendar year 2010.

City Manager Alan H. Bergren

RESOLUTION #3

WHEREAS, there is on file in the Tax Collector's Office a list of the names and addresses of the persons against whom motor vehicle taxes and personal property taxes on the Grand List of 2005 inclusive, were levied and the reasons why the Tax Collector believes such taxes are uncollectible; and,

WHEREAS, in accordance with the Tax Collector's recommendation the aggregate sum of \$298,364.19 is the total outstanding motor vehicle taxes on the Grand List of 2005 inclusive, to be transferred to the suspense tax book and \$99,362.33 is the total outstanding personal property taxes on the Grand List of 2005 inclusive, to be transferred to the suspense tax book; and,

WHEREAS, nothing herein contained shall be construed as an abatement of any tax transferred to the suspense tax account, but any such taxes, as it shall have been increased by interest, penalties, fees and charges may be collected; and

WHEREAS, the City has contracted with Rossi Law Offices to pursue collection of the aforesaid accounts;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that: the following aggregate sums representing personal property taxes of \$99,362.33 and motor vehicle taxes of \$298,364.19 on the Grand List of October 1, 2005 inclusive be and the same hereby transferred to the suspense account.

CITY MANAGER ALAN BERGREN

RESOLUTION #4

WHEREAS, the Community Development Advisory Committee makes funding recommendations for the Norwich Community Development Program, a program that administers federal community block grant funds, and

WHEREAS, Annette D'Antuono no longer serves on the Community Development Advisory Committee, leaving a vacancy, and

WHEREAS, the intent of the Community Development Block Grant (CDBG) program is to develop viable urban communities through the provision of decent housing, suitable living environments and economic opportunities for low and moderate-income people, and

WHEREAS, the Community Development Advisory Committee needs diverse and knowledgeable representation to achieve the intent of the CDBG program, and

WHEREAS, Mr. Edward Derr, the principal of Thames River Academy, is extremely knowledgeable about community development needs, and

WHEREAS, Mr. Edward Derr has provided years of community development oriented volunteer service including service on the Madonna Place Board of Directors, the Three Rivers Community College Advisory Council on Community Service and Service Learning and serves on the Board of Trustees for the Otis Library, and

WHEREAS, Mr. Edward Derr has been recognized by the state of Connecticut Judicial Branch for his achievements in the education of youth in the subject of civics, and

WHEREAS, Mr. Edward Derr's expertise in the area of community development is widely recognized in Norwich,

Therefore, be it resolved by the Council of the City of Norwich that Mr. Edward Derr shall be appointed to the Community Development Advisory Committee for a term to expire December 31, 2010 or until a successor is appointed.

City Council Pro-Tem Jonathon Jacaruso