

The regular meeting of the Council of the City of Norwich was held August 2, 2021, at 7:30 PM in Council Chambers. Present: Mayor Nystrom, President Pro Tem Bettencourt, Ald. Nash, Gould, Wilson, Myles and DeLucia. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

**Please be advised that meetings of the Norwich City Council can be viewed in their entirety on the City of Norwich website “norwichct.org”.**

Ald. Myles read the opening prayer and Ald. Wilson, led the members in the Pledge of Allegiance.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Gould, on a roll call vote it was unanimously voted to adopt the minutes of July 6 and 19, 2021.

Mayor Nystrom call for a public hearing on the AN ORDINANCE AMENDING ZONING REGULATIONS SECTION 2.2- SUMMARY OF USES BY DISTRICT; AND ZONING REGULATIONS SECTION 2.5, PLANNED COMMERCIAL DISTRICT, PC, PRINCIPAL USES AND ACTIVITIES IN THE PC ZONE; OF THE NORWICH CODE OF ORDINANCES

City Clerk read the following Petitions and Communications:

CITY OF NORWICH  
Commission on the City Plan  
23 Union Street, Norwich, CT 06360  
Telephone: (860) 823-3739, Fax: (860) 823-3741

Deanna Rhodes, AICP, CZEO  
Director of Planning & Neighborhood Services

July 21, 2021

TO: THE HONORABLE MAYOR AND ALDERPERSONS OF THE COUNCIL OF THE CITY OF NORWICH  
RE: Referral from the City Council June 21, 2021 – AN ORDINANCE AMENDING ZONING REGULATIONS SECTION 2.2- SUMMARY OF USES BY DISTRICT; AND ZONING REGULATIONS SECTION 2.5, PLANNED COMMERCIAL DISTRICT, PC, PRINCIPAL USES AND ACTIVITIES IN THE PC ZONE; OF THE NORWICH CODE OF ORDINANCES TO ADD THE FOLLOWING: Section 2.2 (Table) Under USE category “Storage rental facility,” – Add as Principal Use in the Planned Commercial District; Section 2.5.3 Under “Requires Site Plan Review” – Add .3 - storage rental facility

The Commission on the City Plan, at a July 20, 2021 Regular Meeting reviewed the above-referenced referral.

Seated were Frank Manfredi, Kathy Warzecha and Swarnjit Singh Bhatia

After careful consideration, the Commission voted unanimously to forward a FAVORABLE recommendation to the Council, pursuant to Chapter XV, Section 4 of the City Charter WITH THE FOLLOWING MODIFICATION: That the approval process be changed to Special Permit instead of Site Plan because it allows the Commission on the City Plan discretion relative to specific site location(s).

REASON: The Planned Commercial District is intended to be more comprehensive and cohesive than the General Commercial, so the approval process should be more stringent in the PC Zone. The proposed use is acceptable with the higher level of consideration by the CCP.

Respectfully submitted,

  
Frank Manfredi, Chairman

Attachment: Proposed Text Revisions to Address CCP Recommendation  
CC: City Clerk, City Manager, City Attorney, Applicant(s) Attorney

2021 JUL 22 PM 2:46  
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NORWICH CT

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

5 Connecticut Avenue, Norwich, Connecticut 06360  
(860) 889-2324/Fax: (860) 889-1222/Email: [office@seccog.org](mailto:office@seccog.org)

(Via electronic mail)

July 19, 2021

Mr. Peter Nystrom  
Mayor  
City of Norwich  
100 Broadway  
Norwich, CT 06360

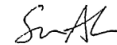
Dear Mayor Nystrom:

I am writing in response to an application to amend the zoning regulations of the City of Norwich. The application was referred to this agency pursuant to Section 8-3b of the Connecticut General Statutes.

The proposed zoning text amendments seek to allow "Storage rental facilities" in the Planned Commercial District, subject to site plan review. Based on a review of the material submitted, I do not believe the proposed regulation amendments will have a negative inter-municipal impact.

If you have any questions, please contact me at 860-889-2324.

Sincerely,



Samuel Alexander, AICP  
Planner III  
[salexander@seccog.org](mailto:salexander@seccog.org)

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Member Municipalities: Bozrah \* Colchester \* East Lyme \* Franklin \* Griswold \* Borough of Jewett City \* City of Groton \* Town of Groton \* Lebanon \* Ledyard \* Lisbon \* Montville \* New London \* North Stonington \* Norwich \* Preston \* Salem \* Sprague \* Stonington \* Stonington Borough \* Waterford \* Windham

*If language assistance is needed, please contact SCCOG at 860-889-2324, [office@seccog.org](mailto:office@seccog.org).  
Si necesita asistencia lingüística, por favor comuníquese a 860-889-2324, [office@seccog.org](mailto:office@seccog.org).  
如果您需要语言帮助, 请致电860-889-2324或发送电子邮件至 [office@seccog.org](mailto:office@seccog.org).*

Speaking in favor:

Mark Kulos, 327 Broadway, asked the Council to approve this Zoning Ordinance.

Mark Block, 130 Main St, stated he had no problem with the Commission on the City Plans recommendations and stated this would benefit the City.

Deanna Rhodes, City Planner, asked the Council to modify the language and section numbers as recommended by CCP.

Speaking in opposition:

There were no speakers.

There being no further speakers Mayor Nystrom declared the public hearing closed.

Mayor Nystrom call for a public hearing on the AN ORDINANCE APPROPRIATING \$145,000,000 TO FUND ALL OR A PORTION OF THE UNFUNDED ACTUARIAL ACCRUED LIABILITY OF THE CITY'S EMPLOYEES' RETIREMENT PLAN AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PENSION BONDS OF THE CITY TO MEET SAID APPROPRIATION

Speaking in favor:

Michael Gualtieri, 16 N. Wawecus Hill Rd, City Treasurer, stated this is a once in a life time opportunity event to lower our interest rate for our pension fund and asked the Council to support this.

Mark Kulos, 327 Broadway, urged the Council to adopt this pension bond Ordinance.

Swarnjit Singh Bhatia, 56 Briar Hill Rd, stated this Ordinance would consolidate our debt at a lower interest rate. He asked the Council to educate our votes on this matter and support this Ordinance.

Shiela Hayes, 382 Laurel Hill Ave, Vice President, Personal and Pension Board, stated they support this at the lower interest rate, asked the Council to send it to referendum and educate the voters on this.

Speaking in opposition:

There were no speakers.

There being no further speakers Mayor Nystrom declared the public hearing closed.

Mayor Nystrom call for a public hearing on AN ORDINANCE APPROPRIATING \$740,000 FOR THE PLANNING, PERMITTING AND ENGINEERING OF INFRASTRUCTURE ACCESS IN THE OCCUM SECTION OF THE CITY AND AUTHORIZING THE ISSUE OF \$740,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Speaking in favor:

Mark Kulos, 327 Broadway, asked the Council to support a new exit off of I395.

Deanna Rhodes, City Planner, and Mark Block, 130 Main St, asked to continue this public hearing until the report from the CCP is submitted.

Shiela Hayes, 382 Laurel Hill Ave, spoke not in favor or against she asked who is paying for the exit.

Speaking in opposition:

Brian Kobylarz, 16 Hobart Ave, stated this is premature for Norwich doesn't own the property yet and asked to wait until we do before going out to bond.

There being no further speakers Mayor Nystrom declared the public hearing on the above ordinance to be continued until the September 7, 2021 meeting.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Myles, on a roll call vote it was unanimously voted to waive the reading of the full text and incorporate it into the minutes this ordinance being given its second reading.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Myles, on a roll call vote it was unanimously voted to put the following ordinance introduced by Mayor Nystrom and President Pro Tem Bettencourt on the floor.

AN ORDINANCE AMENDING ZONING REGULATIONS SECTION 2.2- SUMMARY OF USES BY DISTRICT; AND ZONING REGULATIONS SECTION 2.5, PLANNED COMMERCIAL DISTRICT, PC, PRINCIPAL USES AND ACTIVITIES IN THE PC ZONE; OF THE NORWICH CODE OF ORDINANCES TO ADD THE FOLLOWING:

Section 2.2 (Table) Under USE category “Storage rental facility,” – Add as Principal Use in the Planned Commercial District

Section 2.5.3 Under “Requires Site Plan Review” – Add .3 - storage rental facility

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH THAT

1. Section 2.2 (Table), Planned Commercial District be amended to add storage rental facilities as a Principal Use.
2. Section 2.2, be amended to at a Section 2.5.3.3 to require site plan review for storage rental facilities.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Nash, on a roll call vote it was unanimously voted to amend the following resolution in the first sentence remove “Principal Use” and add “Special Permit” in the second sentence remove “2.5.3” and add “2.5.2.4 and revoke “Site Plan Review” and add “special Permit” in #1. remove “Principal Use” and add “Special Permit”, in #2. Remove “2.2” and add “2.5”, remove 2.5.3.3” and add “2.5.2.4, remove “site plan review” add “Special Permit.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to include the recommendations of the Commission on the City Plan and incorporate them in to the text (amended Ordinance below).

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Myles, on a roll call vote it was unanimously voted to postpone the below amended Ordinance and bring it back August 16, 2021.

AN ORDINANCE AMENDING ZONING REGULATIONS SECTION 2.2- SUMMARY OF USES BY DISTRICT; AND ZONING REGULATIONS SECTION 2.5, PLANNED COMMERCIAL DISTRICT, PC, PRINCIPAL USES AND ACTIVITIES IN THE PC ZONE; OF THE NORWICH CODE OF ORDINANCES TO ADD THE FOLLOWING:

Section 2.2 (Table) Under USE category “Storage rental facility,” – Add as Principal Special Permit Use in the Planned Commercial District

Section 2.5.32.5.2.4 Under “Requires Site Plan Review Special Permit” – Add .3 - storage rental facility

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH THAT

1. Section 2.2 (Table), Planned Commercial District be amended to add storage rental facilities as a Principal Use Special Permit Use.

2. Section 2.2 2.5, be amended to at a Section 2.5.3.3 2.5.2.4 to require site plan review Special Permit for storage rental facilities.

On a roll call vote motion passes on a 7-0 vote to postpone the above amended Ordinance until August 16, 2021.

Upon a motion of Ald. Gould, seconded by Ald. Myles, on a roll call vote it was unanimously voted to waive the reading of the full text and incorporate it into the minutes this ordinance being given it second reading.

Upon a motion of Ald. Gould, seconded by Ald. Myles, on a roll call vote it was unanimously voted to put the following ordinance introduced by Mayor Nystrom and President Pro Tem Bettencourt and Ald. Gould on the floor.

AN ORDINANCE APPROPRIATING \$145,000,000 TO FUND ALL OR A PORTION OF THE UNFUNDED ACTUARIAL ACCRUED LIABILITY OF THE CITY'S EMPLOYEES' RETIREMENT PLAN AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PENSION BONDS OF THE CITY TO MEET SAID APPROPRIATION

**WHEREAS**, the City of Norwich (the "City") has established the City of Norwich Employees' Retirement Plan (the "Plan") for the benefit of certain employees and their beneficiaries; and

**WHEREAS**, retirement benefits for members of the Plan are paid from the Employees' Retirement Fund (the "Fund"); and

**WHEREAS**, the assets of the Fund consist of pooled monies that include appropriations from the City and contributions from members of the Plan; and

**WHEREAS**, the Plan has a large unfunded actuarial accrued liability in the approximate amount of \$144,000,000, and as a result, the City's annual actuarially determined contribution to the Fund is projected to increase significantly each year; and

**WHEREAS**, section 7-374c of the Connecticut General Statutes, as amended (the "Statutes"), authorize municipalities to issue general obligation pension bonds to fund all or a portion of an unfunded past benefit obligation, as determined by an actuarial valuation, and the payment of costs related to the issuance of such bonds; and

**WHEREAS**, due to historically low interest rates for municipal debt, it is anticipated that the proceeds from the issuance of such bonds, when invested as part of Fund assets in higher yielding asset classes, should achieve a long-term rate of return that is greater than the interest rate owed over the term of the bonds; and

**WHEREAS**, the City's Comptroller projects that the issuance of such bonds shall significantly lower the net cost of the Plan, thereby improving the City's fiscal stability

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH:**

**Section 1.** The sum of \$145,000,000 is appropriated for the purpose of funding all or a portion of the unfunded actuarial accrued liability with respect to the Plan, and to pay certain costs of issuance of the Bonds (as defined below), including, but not limited to, legal, actuary, advisory, escrow, verification and investment fees, trustee costs, underwriters' discount and printing and administrative expenses. The net proceeds of the sale of the Bonds, after payment of costs of issuance, shall be deposited into the Fund and invested in appropriate legal investments permitted by the Statutes in accordance with the terms of the Plan.

**Section 2.** To meet said appropriation, general obligation pension bonds of the City shall be issued pursuant to Section 7-374c of the Statutes (the "Act"), in an amount not to exceed \$145,000,000 (the "Bonds"). The Bonds shall be general obligations of the City and shall be serial bonds maturing in annual or semiannual installments of principal or shall be term bonds with mandatory annual or semiannual deposits of sinking fund payments into a sinking fund. The first installment of any series of the Bonds shall mature or the first sinking fund payment of any series of the Bonds shall be due not later than eighteen months from the date of issue of such series, provided that such first installment shall mature or such first sinking fund payment shall be due not later than the fiscal year of the City next following the fiscal year in which such series is issued. The last installment of such series shall mature or the last sinking fund payment of such series shall be due not later than twenty-five years from such date of issue. The Bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the City Manager and the Comptroller, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the City Manager and the Comptroller, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the City Manager and the Comptroller, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. Each of the Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the Bonds, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interests, shall be determined by the City Manager and the Comptroller in accordance with the requirements of the Statutes. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b of the Statutes, including the authority to enter into agreements managing interest rate risk. The City Manager and Comptroller, on behalf of the City, shall execute and deliver such reimbursement agreements, letter of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of such bonds or notes.

**Section 3.** The issue of the Bonds and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law.

**Section 4.** Said Bonds shall be sold by the City Manager and Comptroller in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the Bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. If sold on a negotiated basis, the City Manager and Comptroller are authorized to execute a bond purchase contract or similar agreement for the sale of the Bonds.

**Section 5.** The Bonds may bear interest which is includable in the gross income of holders thereof for Federal income tax purposes pursuant to the Internal Revenue Code of 1986, as amended, and the issuance of such taxable bonds is hereby determined to be in the public interest of the City.

**Section 6.** The City Manager and Comptroller are hereby authorized to exercise all powers conferred by Section 3-20e of the Statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

**Section 7.** The City Manager and Comptroller are hereby authorized to prepare and distribute preliminary and final Official Statements of the City, to execute and deliver on behalf of the City all such other documents and agreements, and to take all action, necessary and proper for the sale, issuance and delivery of the Bonds, including, but not limited to, repayment agreements, memoranda of understanding, instruments and documents with its Department of Public Utilities and Board of Education, on behalf of the City.

**Section 8.** The City Manager and Comptroller shall take all actions necessary to comply with the terms of the Act including but not limited to making the necessary submissions to the Office of Policy and Management and the Office of the Treasurer of the State of Connecticut and, as long as the Bonds or any bond refunding the Bonds are outstanding, the City shall (i) in each fiscal year, commencing with the fiscal year in which the Bonds are issued, appropriate funds in an amount sufficient to meet the actuarially required contribution and contribute such amount to the Plan, acknowledging that any such amounts not included in any annual City budget to make such contributions may be deemed to be appropriated under the Act, and (ii) notify the Secretary of the Office of Policy and Management annually of the amount or the rate of any such actuarially recommended contribution and the amount or the rate, if any, of the actual annual contribution by the City to the Plan to meet such actuarially recommended contribution.

**Section 9.** This ordinance shall not take effect unless and until adopted by the City Council and approved at referendum.

Motion to adopt passes on a roll call vote of 7-0.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Nash, on a roll call vote it was unanimously voted to waive the reading of the full text and incorporate it into the minutes this ordinance being given its second reading.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Nash, on a roll call vote it was unanimously voted to put the following ordinance introduced by Mayor Nystrom and President Pro Tem Bettencourt and Ald. Gould on the floor.

AN ORDINANCE APPROPRIATING \$740,000 FOR THE PLANNING, PERMITTING AND ENGINEERING OF INFRASTRUCTURE ACCESS IN THE OCCUM SECTION OF THE CITY AND AUTHORIZING THE ISSUE OF \$740,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH:

**Section 1.** The sum of \$740,000 is appropriated for the planning, permitting and engineering of infrastructure access in the Occum section of the City and authorizing the issue of \$740,000 bonds of the City of Norwich (the "City") including but not limited to planning, permitting, architecture, engineering and other consultants, appurtenances and services related thereto, all or so much of any portion of any part of the foregoing as may be accomplished within the foregoing appropriation and as determined by the City, and for administrative, advertising, printing, legal and financing costs (hereinafter the "Project"). Said appropriation shall be in addition to grant funding and all prior and future appropriations for said purpose.

**Section 2.** The total estimated cost of the Project is \$740,000. The average estimated useful life of the Project is 30 years. The Project is a general benefit to the City and its general governmental purposes. Project costs may be paid from grants, bonds and notes issued by the City, or any combination of the foregoing.

**Section 3.** To meet said appropriation, up to \$740,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as shall be determined by the City Manager and the Comptroller, and the amount of bonds of each series to be issued shall be fixed by the City Manager and the Comptroller, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the City Manager and the Comptroller, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the City Manager and the Comptroller, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the City Manager and the Comptroller, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the City Manager and the Comptroller in accordance with the requirements of the General Statutes of Connecticut, as amended (the "Statutes"). In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b of the Statutes, including the authority to enter into agreements managing interest rate risk. The City Manager and Comptroller, on behalf of the City, shall execute and deliver such reimbursement agreements, letter of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of such bonds or notes.

**Section 4.** The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law.



**Section 5.** Said bonds shall be sold by the City Manager and Comptroller in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction or similar process, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City.

**Section 6.** The City Manager and the Comptroller are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the City Manager and the Comptroller, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the City Manager and the Comptroller, be certified by a bank or trust company designated by the City Manager and the Comptroller pursuant to Section 7-373 of the Statutes, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the equipment. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

**Section 7.** Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date that the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

**Section 8.** The City Manager and Comptroller are hereby authorized to exercise all powers conferred by Section 3-20e of the General Statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

**Section 9.** In order to meet the capital cash flow expenditure needs of the City, the City Manager and Comptroller are authorized to allocate and reallocate expenditures incurred for the equipment to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose.

**Section 10.** It is hereby found and determined that the issue of all, or a portion of, the bonds, notes or other obligations of the City authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation, is in the public interest. The City Manager and the Comptroller are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant

to law including but not limited to any “tax credit bond,” or “Build America Bonds” including Direct Payment and Tax Credit versions.

**Section 11.** The City Manager and Comptroller are hereby authorized to prepare and distribute preliminary and final Official Statements of the City, to execute and deliver on behalf of the City all such other documents, and to take all action, necessary and proper for the sale, issuance and delivery of any bonds or notes relating to the equipment in accordance with the provisions of the Statutes and the laws of the United States.

On a roll call vote of 7-0 it was voted to continue the public hearing on the above ordinance until September 7, 2021.

Upon a motion of Ald. Gould, seconded by Ald. Myles, it was unanimously voted to receive the following Report from the Commission on the City Plan of the City of Norwich, pursuant to Section 8-24 of the General Statutes and Chapter XV, Section 4 of the Norwich City Charter regarding, AN ORDINANCE AMENDING ZONING REGULATIONS SECTION 2.2- SUMMARY OF USES BY DISTRICT; AND ZONING REGULATIONS SECTION 2.5, PLANNED COMMERCIAL DISTRICT, PC, PRINCIPAL USES AND ACTIVITIES IN THE PC ZONE; OF THE NORWICH CODE OF ORDINANCES

Upon a motion of Ald. Myles, seconded by Ald. Gould, it was unanimously voted to receive the following Report from the Southeastern Connecticut Council of Governments regarding AN ORDINANCE AMENDING ZONING REGULATIONS SECTION 2.2- SUMMARY OF USES BY DISTRICT; AND ZONING REGULATIONS SECTION 2.5, PLANNED COMMERCIAL DISTRICT, PC, PRINCIPAL USES AND ACTIVITIES IN THE PC ZONE; OF THE NORWICH CODE OF ORDINANCES

Upon a motion of Ald. Wilson, seconded by Ald. Gould, it was unanimously voted to receive the following Memo from Comptroller Explanation of Proposed 2020-21 Budget Transfers and Summary of General Fund, CCD, and TCD Budget-to-Actual Results

Upon a motion of Ald. Myles, seconded by Ald. Gould, it was unanimously voted to receive the following Letter of resignation of Jason Courter from the Commission on the City Plan and thank him for his service.

Upon a motion of Ald. Nash, seconded by Ald. Gould, it was unanimously voted to receive the following letter of resignation of Patrick T. McMahon from the Youth Services Advisory Board and thank him for his service.

Upon a motion of Ald. DeLucia, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to postpone the following resolution until September 7, 2021 introduced by President Pro Tem Bettencourt, Ald. Wilson, Myles and DeLucia.

**WHEREAS**, the City of Norwich has received an analysis of the Fire/EMS Services provided in the City of Norwich prepared by the McGrath Consulting Group, Inc., with emphasis on the services provided by the City of Norwich Fire Department and the five (5) volunteer fire departments; and

**WHEREAS**, the report makes recommendations with respect to an amalgamation of the six (6) fire departments with a goal of supporting and improving services provided by the departments; and

**WHEREAS**, the report also recommends the establishment of a position of a fire commissioner which position will not be established this year for budgetary reasons and may in the future be subject to budgetary issues; and

**WHEREAS**, the Council finds that the services provided by the fire departments in the City of Norwich are supported and improved by regular meetings among the chiefs of the fire departments.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that City Manager John Salomone be and hereby is directed to arrange monthly meetings to include himself, the chiefs of the six (6) fire departments or their designees, and such other persons as he believes would be helpful to such meetings. Cancellation of meetings will be expeditiously reported to the City Council via email by the City Manager stating the reason for cancellation. That notice will be considered complying with the directions in this resolution. It is recommended that elected officials not participate in these meetings in order to facilitate open discussions regarding fire service-related matters.

**BE IT ALSO RESOLVED**, the goals will be implementing changes in the fire service described in the McGrath Consulting Group, Inc. analysis to provide the fastest, safest, and most efficient delivery of services. Initial goals will be to implement changes to the dispatch and radio issues identified previously. Subsequent priority items will be identified by the City Manager and/or the Public Safety Committee. Monthly reports shall be provided to the City Council by the City Manager regarding meetings held, agenda items discussed, and action plans developed in the implementation of the above stated goal and future priorities.

On a roll call vote of 7-0 it was voted to continue the above resolution until September 7, 2021.

Upon a motion of Ald. Gould, seconded by Ald. Nash, on a roll call vote it was unanimously voted to put the following ordinance introduced by Mayor Nystrom and President Pro Tem Bettencourt and Ald. Gould on the floor.

Upon a motion of Ald. DeLucia, seconded by Ald. Wilson, on a roll call vote it was voted to postpone the following Ordinance until September 7, 2021.

**AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS' RELIEF FUND PLAN OF THE CITY OF NORWICH**

**WHEREAS**, plan changes have been proposed to the City of Norwich Volunteer Firefighters Pension Plan; and

**WHEREAS**, on or about October 5, 2020 the City of Norwich Finance Department received an analysis of the financial impact of the proposed changes prepared by the actuarial firm overseeing the pension fund; and

**WHEREAS**, the Volunteer Firefighter Relief Fund Committee at a special meeting held October 13, 2020 reviewed this financial analysis and voted to recommend the proposed plan changes to the Council of the City of Norwich

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Norwich, that the following amendments to Sections 8-74, 8-75, and 8-77 of Article IV of Chapter 8 of the Code of Ordinances listed as follows:

Section 8-74(a)(v)(6);

Section 8-74(a)(v)(7), (to be added);

Section 8-75(a) (i) and (ii), (subpart (ii) deleted in full);

Section 8-75(c)(vi), (amending 8-75(c)(vi) by deleting (i) and (2) and restating (vi));

Section 8-75(c)(vii), (to be added);

Section 8-77(d)(i)(1)(a) and (b);

Section 8-77(d)(i)(1)(c), (to be added).

BE AND HEREBY ARE ADOPTED.

Sec. 8-74. – Service

(v) Contribution rate. A plan member shall contribute the following amounts for purchase of credited service during the following periods:

- (1) \$60.00 for plan years prior to January 1, 1995.
- (2) \$84.00 for plan years on or after January 1, 1995 but prior to January 1, 2000.
- (3) \$120.00 for plan years on or after January 1, 2000 but prior to January 1, 2006.
- (4) \$180.00 for plan years on or after January 1, 2006 but prior to January 1, 2011.
- (5) \$216.00 for plan years on or after January 1, 2011 but prior to January 1, 2014.
- (6) \$264.00 for plan years on or after January 1, 2014 but prior to January 1, 2021.
- (7) \$288.00 for plan years on or after January 1, 2021.

Sec. 8-75. - Retirement benefits.

(a) Normal retirement.

~~(i) For members joining the plan prior to January 1, 2015, the A plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 20 years of credited service.~~

~~(ii) For members joining the plan on or after January 1, 2015, the plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 25 years of credited service.~~

(b) Deferred retirement. A plan member who is satisfactorily able to perform fire duties may remain an active member and continue to earn credited service beyond his/her normal retirement date while he/she continues to collect benefits. The first day of the calendar month following such deferred retirement shall be known as his/her deferred retirement date.

(c) Calculation of retirement benefits. The monthly amount of retirement benefits payable to a plan member shall be calculated as follows:

- (i) For retired members with a break in service prior to January 1, 1995, \$7.00 times 20 years of service, for a maximum of \$140.00.
- (ii) For retired members with a break in service on or after January 1, 1995 but prior to January 1, 2000, \$8.00 times number of years of credited service, with a maximum of 30 years, or \$240.00.
- iii) For retired members with a break in service on or after January 1, 2000 but prior to January 1, 2006, \$10.00 times number of years of credited service, with a maximum of 30 years, or \$300.00.
- (iv) For retired members with a break in service on or after January 1, 2006 but prior to January 1, 2011, \$15.00 times number of years of credited service, with a maximum of 35 years, or \$525.00.
- (v) For retired members with a break in service on or after January 1, 2011 but prior to January 1, 2015, \$18.00 times number of years of credited service, with a maximum of 40 years, or \$720.00.
- (vi) For retired members with a break in service on or after January 1, 2015 but prior to January 1, 2021, \$22.00 times number of years of credited service, with a maximum of forty years, or \$880.00;
- ~~(1) Forty years, or \$880.00, for members who joined the plan prior to January 1, 2015~~
- ~~(2) Thirty years, or \$660.00, for members who joined the plan on or after January 1, 2015~~
- (vii) For retired members with a break in service on or after January 1, 2021, \$24 times number of years of credited service, with a maximum of 40 years, or \$960.00

Sec. 8-77. - Death benefits.

- (d) Death after retirement.
  - (i) Qualified spousal and child benefits. A plan member who is under the age of 65 as of January 8, 2001 and is an active member is entitled to have benefits pass onto his/her qualified spouse and child(ren), subject to the restrictions and calculations described herein.
    - (1) Qualified spouse is entitled to death benefits until death or remarriage, calculated as follows:
      - a. Plan member who died between January 8, 2001 and July 16, 2006. Fifty percent of the deceased plan member's retirement benefit;
      - b. Plan member who died ~~after~~ between July 16, 2006 and January 1, 2021. Ninety percent of the deceased plan member's retirement benefit.
      - c. Plan member who dies after January 1, 2021. One hundred percent of the deceased plan member's retirement benefit.

Motion passes on a roll call vote of 4-3 with Mayor Nystrom, Ald. Nash and Gould voting in opposition to postpone the above ordinance until September 7, 2021.

**CITY MANAGER'S REPORT**

**To:** Mayor Nystrom and members of the City Council  
**From:** John Salomone, City Manager  
**Subject:** City Manager's Report  
**Date:** August 2, 2021

As a result of the higher than average Covid-19 cases in New London County and the CDC recommendations to our local Health Department, I have required that everyone wear a mask or face coverings in all City Buildings regardless of their vaccination status until further notice. Notices have been placed at the entrances of the buildings, on our website and Facebook.

Meetings attended included, State representatives and legislators, Southeastern Council of Governments (SCCOG), NPU-City Coordination Meeting, Storm Elsa Preparation, Public Safety, Fire Chiefs and NCDC. I also held a press conference for the American Rescue Plan (ARP) and went on WICH's Stu Bryer show to discuss the City's intent for use of the funds.

Work on the Franklin Square Roundabout has begun and should be completed by the end of September. The work will improve traffic flow and enhance the streetscape. Public Works has awarded the contract for Dunham Street for \$1.44 Million with construction expected to start in August. Nearly six and one half miles of roads were chip sealed in July, including Wawecus Hill Rd., Rogers Rd., Mohegan Park Rd., Wilderness Rd., John Edward Rd., and Montville Rd. The City's paving Contractor Charles Pasteryak Jr. Inc., completed Bayberry Hill Rd., Lornadale Dr., Philanne Dr., and Cottonwood Rd., in the second half of June.

The City took title to the abandoned former YMCA property on July 12<sup>th</sup>. The City has renewed its efforts to secure the property and environmental studies have started so that the property can be developed.

The tax auction that was held in early July enabled the City to collect back taxes on 17 properties in the amount of \$491,817.04 at auction and \$267,129.27 prior to auction for a total of \$758,946.31. Tax payments have been steady and will be reflected in my next report.

The City Clerk has received a historic document preservation Grant for \$7,500 which will allow the office staff to scan land records from 1938 and prior years.

Griffin Health held COVID-19 vaccination clinics at City Hall on July 1<sup>st</sup>, 2<sup>nd</sup> & 6<sup>th</sup> 28<sup>th</sup> to 30<sup>th</sup>. They will also be offering free vaccines at Spaulding Pond in July and August.

Thank you to those that offered to purchase the bronze plaque that turned up at a local scrap yard that honored Tater the Gator, the original team mascot for the Norwich Navigators. My assistant, Jacque Barbarossa, called Claire Bessette from The Day to do a story about the memorabilia to hopefully reunite the plaque with Tater very soon.

National Night out will be held at Brown Park on Tuesday, August 3<sup>rd</sup>, for the 38<sup>th</sup> year. It's great way for families to interact with our Police Department and local community organizations. CDC guidelines will be in effect at the event.

Attached are my Fire Chiefs report that was presented at the July Public Safety meeting and quarterly reports from departments ending June 30<sup>th</sup>, 2021.

Department Quarterly Reports

Mayor Nystrom declared citizen comment opened.

Swarnjit Singh Bhatia, 56 Briar Hill Rd, spoke in support of Resolution # 6 and asked for more input from the Community on Resolution #5.

Dayne Rugh, 67 East Town St, spoke in support of Resolution #5.

Shiela Hayes, 382 Laurel Hill Ave, spoke in support of Resolution #1, had no problem with Resolution #2 and asked to postpone Resolution #5 so more input could be included.

Regan Miner, 67 East Town St, spoke in support of Resolution #5.

Mark Kulos, 327 Broadway, urged the Council to vote yes on Resolution #6, asked them to consider a youth center on Resolution #5 and supports sending Resolution #1 to referendum vote.

Brian Kobylarz, 16 Hobart Ave, stated he thought that Resolution #5 was premature at this time.

Mayor Nystrom declared citizen comment closed.

Upon a motion of Ald. Nash, seconded by Ald. Myles, on a roll call vote it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

**RESOLUTION PROVIDING FOR REFERENDUM**

**BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH:**

That the ordinance entitled “AN ORDINANCE APPROPRIATING \$145,000,000 TO FUND ALL OR A PORTION OF THE UNFUNDED ACTUARIAL ACCRUED LIABILITY OF THE CITY'S EMPLOYEES' RETIREMENT PLAN AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PENSION BONDS OF THE CITY TO MEET SAID APPROPRIATION ”, as adopted by this meeting of the Council, be submitted to a referendum vote of the electors of the City for approval or disapproval in conjunction with the general election on November 2, 2021, between the hours of 6:00 A.M. and 8:00 P.M. and that the warning of said referendum state the question to be voted upon and the ballot label with respect thereto as follows:

Question 1:

“Shall the ordinance entitled ‘AN ORDINANCE APPROPRIATING \$145,000,000 TO FUND ALL OR A PORTION OF THE UNFUNDED ACTUARIAL ACCRUED LIABILITY OF THE CITY'S EMPLOYEES' RETIREMENT PLAN AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PENSION BONDS OF THE CITY TO MEET SAID APPROPRIATION’, as adopted by the City Council on August 2, 2021, be approved? YES NO”

The ballot label for said question shall read as follows:

“Shall the \$145,000,000 appropriation and bond authorization for the funding of all or a portion of the unfunded actuarial accrued liability of the City’s Employees’ Retirement Plan, pursuant to the ordinance adopted by the City Council on August 2, 2021, be approved? YES NO”

The voting will be by paper/electronic ballot. Those desiring to vote for the question shall fill in the box in front of the question on the ballot at “YES”. Those desiring to vote against the question shall fill in the box in front of the question on the ballot at “NO”. Absentee ballots will be made available in accordance with the law.

The warning of said referendum shall also state that the full text of the aforesaid ordinance and question are on file open to public inspection in the office of the City and Town Clerk, that the vote on the aforesaid bond ordinance is taken pursuant to Chapter VIII, Section 4 of the City Charter and Chapters 90 and 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be made available in accordance with the law.

The City and Town Clerk is hereby authorized and directed to prepare and print pursuant to section 9-369b of the Connecticut General Statutes (i) explanatory text for the foregoing question and (ii) materials concerning such question in addition to the explanatory text.

Upon a motion of Ald. Myles, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to adopt on the following resolution introduced by Mayor Nystrom and Ald. Gould.

**WHEREAS**, the City of Norwich entered into a License Agreement dated November 17, 2003 permitting it to use the parking lot and path located at 71 Town Street, Norwich, Connecticut 06360 which License Agreement has been extended several times by amendment and will currently expire on November 30, 2021; and

**WHEREAS**, the Bank of America, National Association and the City of Norwich propose to enter into a Fifth Amendment to the License Agreement extending it for an additional term to end November 30, 2022, unless sooner terminated; and

**WHEREAS**, a proposed Fifth Amendment to License Agreement between the Bank of America, National Association and the City of Norwich is attached to this resolution as Exhibit A; and

**WHEREAS**, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to enter into this Fifth Amendment to License Agreement

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that, City Manager John Salomone be and hereby is authorized and directed to enter into a Fifth Amendment to License Agreement that is satisfactory to him and substantially in the form of Exhibit A attached hereto and to provide to and receive from the Bank of America, National Association signed copies of the Fifth Amendment to License Agreement together with such other correspondence, agreements, memorandum of understanding or documents as are necessary to effectuate the same.

**FIFTH AMENDMENT  
TO LICENSE AGREEMENT**

The parties to this Fifth Amendment to License Agreement (“Fourth Amendment”) are **Bank of America, National Association**, a national banking association, successor in interest to Fleet National Bank, (“Licensor”), and **City of Norwich**, a municipal corporation specially chartered by the General Assembly of the State of Connecticut and having is territorial limits within the State of Connecticut (“Licensee”), who, for good and valuable consideration the receipt and adequacy of which are hereby acknowledged, agree as follows:

1. Background. This Fifth Amendment pertains to the License Agreement between Licensor and Licensee, dated November 17, 2003 as amended by the Amendment to License Agreement dated October 17, 2008, by Second Amendment to License Agreement dated January 7, 2014, by Third Amendment to License Agreement executed January 15, 2016 and by Fourth Amendment to License Agreement dated September 13, 2018 (together, the “License”), for license of the Premises therein described for the use of the parking lot and path located at 71 Town Street, Norwich, CT 06360. Capitalized terms used and not otherwise defined herein have the meanings given them in the License.



2. License Term. By execution of this Fifth Amendment, the term of the License hereby is extended for an additional term (“Additional Term”), ending **November 30, 2022**, unless sooner terminated as provided in the License. Notwithstanding any provisions contained herein to the contrary, either party may terminate this License at any time, without cause, during the Term upon at least **forty-five (45) days** prior written notice to the other party.

3. AS-IS. Licensee accepts the Premises in its AS-IS, WHERE IS condition. Licensor shall not be required to perform any improvements or other work or provide Licensee with any allowance or inducement with respect to the License. Licensee, at Licensee’s sole cost and expense, shall comply with all laws, ordinances, orders, rules and regulations of state, federal, municipal or other agencies or bodies having jurisdiction over the use or condition of Licensee’s improvements (including the Americans With Disabilities Act of 1990, as amended). Licensee will comply with any reasonable rules and regulations for the parking lot adopted by Licensor.

4. Insurance. Simultaneously with the execution of this Fifth Amendment, Licensee shall provide Licensor with a certificate of insurance as required under the License.

5. Brokers. Each party hereto represents that it has not dealt with any other real estate broker or agent in connection with the negotiation of this Fifth Amendment other than CBRE, Inc. Licensor shall be responsible for any commissions due CBRE, Inc. in connection with this Fifth Amendment. Each party shall hold the other harmless from all damages resulting from any claims that may be asserted against the other party by any broker, finder, or other person or entity with whom the indemnifying party has dealt.

6. Addresses. Notice addresses under the License pursuant to Paragraph 5 of the License are hereby amended as follows:

Licensor:  
 Bank of America, National Association  
 NC1-023-05-03  
 5252 N. Tryon Street  
 Charlotte, NC 28202  
 Attn: Lease Administration (CT2-122)

With copies to:  
 Bank of America, National Association  
 Two Smith St (MA6-152-02-01)  
 Wakefield, MA 01880  
 Attention: Joan Arria, Vice President (CT2-122)

Licensee:  
 City of Norwich  
 100 Broadway  
 City Hall, Room 219  
 Norwich, CT 06360-4431  
 Attn: City Manager

7. Miscellaneous. Licensee and the person(s) signing this Fifth Amendment on Licensee's behalf represent and warrant to Licensor that Licensee has full right and authority to execute and perform its obligations under the License as amended by this Fifth Amendment, and that such person(s) are, duly authorized to execute this Fifth Amendment on Licensee's behalf without further consent or approval by anyone. Licensee shall deliver to Licensor promptly upon request all documents reasonably requested by Licensor to evidence such authority. This Fifth Amendment is the entire agreement of the parties regarding modifications of the License provided herein, supersedes all prior agreements and understandings regarding such subject matter, may be modified only by a writing executed by the party against whom the modification is sought to be enforced, and shall bind and benefit the parties and their respective heirs, legal representatives, successors and assigns. The License is ratified and confirmed in full force and effect in accordance with its terms, as amended hereby.

8. OFAC. Licensee represents that neither Licensee nor, to the knowledge of Licensee, any director, officer, employee, agent, affiliate or representative of Licensee is an individual or entity (“Person”) currently the subject of any sanctions administered or enforced by the United States Department of Treasury’s Office of Foreign Assets Control (“OFAC”), or other relevant sanctions authority (collectively, “Sanctions”), nor is Licensee located, organized or resident in a country or territory that is the subject of Sanctions; and Licensee represents and covenants that it has not knowingly engaged in, is not now knowingly engaged in, and shall not engage in, any dealings or transactions with any Person, or in any country or territory, that is the subject of Sanctions.

9. Counterparts and Digital Images. This Fifth Amendment may be executed in any number of counterparts with the same force and effect as if all signatures were appended to one document, each of which shall be deemed an original. The parties agree to accept a digital image of the License, and any amendments thereto, as executed, as a true and correct original and admissible as best evidence for the purposes of State law, Federal Rule of Evidence 1002, and the like statutes and regulations. Execution and delivery of this Amendment by portable document format (“PDF”) copy bearing the PDF signature of any party hereto shall constitute a valid and binding execution and delivery of this Amendment by such party. Such PDF copies shall constitute enforceable original documents.

EXECUTED AND DATED as of \_\_\_\_\_, \_\_\_\_\_, 2021.

LICENSEE:

City of Norwich

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

LICENSOR:

Bank of America, National Association,  
a national banking association

By: \_\_\_\_\_  
Name: Joan Arria  
Title: Vice President  
Date: \_\_\_\_\_

Upon a motion of Ald. Nash, seconded by Ald. Gould, on a roll call vote it was unanimously voted to put the following resolution introduced by Mayor Nystrom and Ald. Gould on the floor.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Nash, on a roll call vote it was unanimously voted to amend the following resolution in the 5<sup>th</sup> paragraph to add “September 7, 2021” as the scheduled public hearing date.

**WHEREAS**, the City of Norwich owns an undeveloped parcel of land located on North Thames Street identified as map 101, block 1, lot 31/1, acquired in 2007 by Quit Claim Deed from the State of Connecticut which had become the owner of the same in connection with a road relocation, the Quit Claim Deed reserving to the State of Connecticut, its successors and assigns, a full and perpetual easement to slope under, over and across portions of the land conveyed; and

**WHEREAS**, said parcel of land consists of 0.27 acres and due to its size, shape, and location has no or limited potential use as a standalone piece of property; and

**WHEREAS**, the abutting property owner at 28 North Thames Street has offered to purchase the property for \$17,000, which the city assessor considers to be a fair price for the property, and said abutting property owner agrees to merge this parcel with its abutting parcel; and

**WHEREAS**, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to sell the property to the abutting owner for \$17,000 recognizing the fair market value of the property requires compliance with the provisions of Connecticut General Statute § 7-163e to include a public hearing with two notices by publication and a posting of sign on the property concerning the conduct of a public hearing prior to the sale.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that,**

- 1) a public hearing be scheduled on this resolution to be held on September 7, 2021 and that City Manager John Salomone be and hereby is authorized to arrange through the city clerk for the publication of two notices required at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the date set for such public hearing, and through the Department of Public Works for the posting of a sign conspicuously set on the real property that is the subject of the public hearing providing information relative to the public hearing including the date, time, and location of the same; and
- 2) the council shall defer further action on this resolution until completion of said public hearing; and
- 3) following the completion of the public hearing the council may further act on this resolution as it deems appropriate and, by adopting the same without substantial amendment, shall authorize and direct City Manager John Salomone to accept on behalf of the City of Norwich the offer of \$17,000 with the merger of this parcel with the abutting property and arrange to convey the same to the proposed purchaser, DI Enterprises, LLC, for \$17,000 by quit claim deed and to execute such deed and such other documents, agreements, memorandums of understanding, and correspondence as may be necessary to convey the property and complete the proposed transaction.

On a roll call vote of 7-0 it was voted to schedule a public hearing on the above resolution until September 7, 2021.

Upon a motion of Ald. Nash, seconded by Ald. Gould, on a roll call vote it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

**WHEREAS**, the Police Department expended approximately \$35,000 in excess of its 2020-21 appropriation resulting primarily from retirement payouts, overtime, and replacement overtime costs; and,

**WHEREAS**, the Laurel Hill Volunteer Fire Department expended approximately \$5,000 in excess of its 2020-21 appropriation resulting primarily from utilities, supplies, and vehicle fuel costs; and,

**WHEREAS**, the Occum Volunteer Fire Department expended approximately \$5,000 in excess of its 2020-21 appropriation resulting primarily from physicals, supplies, and equipment maintenance costs; and,

**WHEREAS**, Non-Departmental expenditures were approximately \$10,000 in excess of its 2020-21 appropriation resulting primarily from the purchase of cyber risk management coverage; and,

**WHEREAS**, several departments underspent their 2020-21 budgets.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that \$55,000 be and hereby is transferred *from* the 2020-21 budgets of the departments listed below *to* the 2020-21 budgets of the Police, Laurel Hill Volunteer Fire Department, Occum Volunteer Fire Department, and Non-Departmental budgets as follows:

**Budget Decreases**

Public Works	10430300-10434800	\$55,000
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**Budget Increases**

Police	10420100	\$35,000
Laurel Hill VFD	10423400	5,000
Occum VFD	10423500	5,000
Non-Departmental	10500000	<u>10,000</u>
Total Budget Increases		<u>\$55,000</u>

Upon a motion of Ald. Gould, seconded by Ald. Myles, on a roll call vote it was unanimously voted to put the following resolution introduced by Mayor Nystrom, President Pro Tem Bettencourt and Ald. Gould on the floor.

Upon a motion of Ald. Wilson, seconded by President Pro Tem Bettencourt, it was voted to amend the following resolution by adding in #3) “\$130,000 to the Recreation Department for upgrades at Jennings Park”. Motion and second withdrawn.

Upon a motion of Ald. Wilson, seconded by Ald. DeLucia, on a roll call vote it was unanimously voted to amend the following resolution number “3) Norwich Human Services from “\$2,100,000” to “\$2,230,000” under To be used for: an addition to Recreation assistance – Armstrong tennis courts, “Jenkins Park improvements”, Greeneville playground & splash pad, and As proposed the sum is to be allocated as follows: change the first amount from “\$350,000” to “\$480,000” and add as “10) Community Development neighborhood revitalization programs \$500,000” and changing the total appropriation to “\$9,769,000”.

Upon a motion of Ald. DeLucia, seconded by Ald. Wilson, on a roll call vote it was voted to postpone the following resolution until September 7, 2021.

**WHEREAS**, under the American Rescue Plan funds have been and are to be delivered next year from the federal government to state, local, territorial, and tribal governments to respond to the COVID-19 emergency and to bring back jobs and funding objectives; and

**WHEREAS**, these funds must be obligated by December 31, 2024 and can be used to cover costs associated with:

- Responding to the negative impacts of the COVID pandemic, including assistance to households, small businesses and non-profits as well as aide to affected industries such as tourism, travel, and hospitality;
- Providing government services previously cut due to pandemic-related revenue shortfalls; and
- Making needed investments in water, sewer, or broadband infrastructure; and

**WHEREAS**, in 2021 the City of Norwich received the sum of \$14,419,364.22 in connection with first year of the program and anticipates receiving a similar sum in the second year of the program; and

**WHEREAS**, the Council of the City of Norwich finds that the following initiatives are consistent with the plan objectives of the American Rescue Plan; can be obligated within the time allotted; are within the uses permitted under the appropriate categories of the American Rescue Plan; and that it will be in the best interest of the City of Norwich to appropriate funds as estimated and listed herein by project from the 2021 allocation provided to the City of Norwich:

1) Uncas Leap Heritage Park \$2,100,000

Funding for Design and Installation of Site Amenities to Complete the Master Plan Concept including:

- Completion of the granite mill ruin
- Interpretive signage & timeline exhibit
- Plaza, fencing, lighting, benches & flagpoles
- Restroom facility
- Trails & landscaping improvement

2) Browning Road Water Main Extension \$800,000

Water Infrastructure Improvement

3) Norwich Human Services \$2,230,000

To be used for:

- Basic need support to Norwich families to include rent mortgage and utility assistance
- Health improvements to disenfranchised neighborhoods
- Mental health system improvements from the effect of COVID
- Employment support – apprenticeships & job training
- Recreation assistance – Armstrong tennis courts, Jenkins Park improvements, Greeneville playground & splashpad

As proposed the sum is to be allocated as follows:

- \$480,000 to Recreation Department
- \$889,000 basic need support to Norwich families
- \$175,000 employment support
- \$186,000 staffing needs
- \$250,000 health improvements to disenfranchised neighborhoods
- \$250,000 mental health system improvements

4) Norwich Community Development Corporation \$2,000,000

To support code correction & Vanilla box program recognizing that:

- Code correction will reduce the risks associated with renovating long-term vacant spaces
- By design, the Vanilla box program will help building owners improve space that is not tenant ready creating habitable spaces of particular uses
- Will enable building owners to apply for funds to fix buildings creating a positive return on investment and encourage businesses to occupy space in the downtown area.

5) Arts & Culture \$500,000

Through a Partnership with Southeastern CT Cultural Coalition

- Utilize the arts & cultural assets to provide positive economic impact for the City of Norwich to include:
- Developing arts & culture-based beautification projects
- Coordinate and promote arts, culture, history and heritage events and activities
- Manager perception of Norwich

6) Rehabilitate City Acquired Property to livable or useable condition prior to sale	\$1,200,000
➤ Provide economic stabilization for Norwich households and local businesses	
➤ Facilitate the entering into of a partnership with an appropriate entity(ies) for Habitat & Community Development	
7) Norwich Police Department	\$300,000
To be used for law enforcement including reducing gun violence.	
8) Otis Library	\$50,000
To expand services.	
9) Planning and Neighborhood Services Department	\$89,000
To hire an Assistant Zoning & Blight Enforcement Officer	
10) Community Development neighborhood revitalization programs	\$500,000
Total Appropriation	\$9,769,000

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that, the appropriation and use of funds described herein by estimated dollar amount and purpose, are found to be consistent with planning objectives of the American Rescue Plan and, when expended as described herein and for purposes listed, will be in the best interest of the City of Norwich whereby said appropriation and expenditures for the purposes listed having so been found, are approved by the Council of the City of Norwich with the provision that they be obligated by December 31, 2024.

On a roll call vote of 6-1 with Ald. Gould voting in opposition motion to postpone on the above resolution passes until September 7, 2021.

Upon a motion of Ald. Nash, seconded by Ald. Myles, on a roll call vote it was unanimously voted to put the following resolution introduced by Mayor Nystrom, Ald. Wilson on the floor.

Upon a motion of Ald. Wilson, seconded by Ald. Nash, on a roll call vote it was unanimously voted to amend the following resolution to add “in the 4<sup>th</sup> and 5<sup>th</sup> paragraph “Norwich” NAACP “Branch”.

**WHEREAS**, the Council of the City of Norwich adopted a resolution on July 19, 2021, titled, Declaration Of Racism As A Public Health Crisis In The City Of Norwich; and

**WHEREAS**, said resolution was amended after the introduction with subsequent amendments proposed; and

**WHEREAS**, certain proposed amendment lacked a second which may have been overlooked, particularly with respect to the identity of certain proposed stakeholders; and

**WHEREAS**, this resolution is intended to clarify the record by noting the following are to be considered as perspective stakeholders

1. Hartford Health Care
2. Norwich NAACP Branch
3. Otis Library

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF NORWICH**, that Hartford Health Care, the Norwich NAACP Branch and the Otis Library be considered as perspective stakeholders.

Amended resolution follows;

**“As Amended”**

**A RESOLUTION AMENDING A RESOLUTION DECLARING RACISM A PUBLIC HEALTH CRISIS IN THE CITY OF NORWICH**

**WHEREAS**, the City Council adopted a resolution on July 19, 2021 entitled, “DECLARATION OF RACISM AS A PUBLIC HEALTH CRISIS IN THE CITY OF NORWICH” ( the “Prior Resolution”); and

**WHEREAS**, Hartford Healthcare, the Norwich NAACP Branch and the Otis Library wish to be considered as stakeholders in the last paragraph.

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH:**

**WHEREAS**, public health is the science of protecting and improving the health of people, entire populations and their communities. These populations can be as small as a local neighborhood, or as big as an entire country or region of the world;

**WHEREAS**, public health work is achieved by promoting healthy lifestyles, researching disease and injury prevention, and detecting, preventing and responding to infectious diseases;

**WHEREAS**, racism is threat to public health and safety, and is a paramount social determinant of health, shaping access to the resources that create opportunities for health, including public safety, housing, education and employment, and is a persistent barrier to health equity for all Norwich residents;

**WHEREAS**, in addition to having an independent influence on the social determinants of health, racism in and of itself has been proven to have broad-reaching and direct negative impacts on individual health outcomes;

**WHEREAS**, racial justice is the creation and proactive reinforcement of policies, practices, attitudes and actions that produce equitable power, access, opportunity, treatment, and outcomes for all people regardless of race;

**WHEREAS**, in the long term, agencies, boards, committees, and commissions of City government must recommit to addressing the impact that racism has on the lives of all of our neighbors and how it impacts the overall health of our City;

**WHEREAS**, the COVID-19 pandemic has revealed, reaffirmed, and cast in sharp relief the emergency nature of these pre-existing inequities caused by systemic racism. In cases where race and ethnicity is known, the rate of reported COVID-19 cases as of July 9, 2021 in the entire state of Connecticut, Blacks, Indigenous and People of Color (BIPOC) is 125,616 compared with 110,399 for whites; and

**WHEREAS**, all Norwich residents are welcomed to join in working toward a city where all residents live fulfilling lives free of racism, poverty, violence, and other systems of oppression;

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH,**

1. The Norwich City Council asserts that racism is a public health crisis affecting our entire community;
2. The Norwich City Council and City Manager develop strategies that work to dismantle the systemic racism that creates barriers to strong public health. These strategies shall include access to data to drive equitable policies and a review of current policies and practices through a racial equity lens;
3. In partnership with Uncas Health District, develop a “Norwich Health Equity” plan that outlines detailed objectives and measurable goals in which the City will focus on root causes of the inequities that cause disparities in health outcomes for our residents;
4. Engage historically marginalized communities in identifying problems and solutions and supporting community-driven responses;
5. Ensure complete and regular availability of specific race and ethnicity data that documents the health inequities that exist in Norwich through collection, dissemination and remedies for gaps in that data to strengthen our collective understanding. This should include creating and implementing a Norwich Health Equity Measure Set, and data sharing between the Uncas Health District and relevant agencies of the State of Connecticut;
6. Conduct ongoing and enhanced analysis using all available data to understand the complexity of the interconnectedness of societal, environmental and behavioral factors that contribute to the impact of racism on access to those resources that promote good health including good jobs, access to healthy and affordable food, housing, equitable transportation options and excellent public education. This includes a more comprehensive understanding of racism and its impact on violence in the community both as a direct correlation to its existence and the impact that it creates on the overall health of people and the community at large;
7. Focus on access to prevention and treatment that is culturally and linguistically competent and meets communities where they are to counter the inequities that exist in health care;
8. Develop direct service programs and services to address the negative impact that these inequities have had on specific populations as well as programs that empower communities to tackle these systemic barriers;
9. The City Manager and Human Resource Director commit to conduct all human resources, vendor selection and grant management activities with a racial equity lens including reviewing all internal policies and practices such as examinations, hiring, promotions, leadership appointments and funding;
10. Promote racially equitable economic and workforce development practices;



11. Encourage community partners and stakeholders in the education, employment, housing, criminal justice and safety arenas to recognize racism as a public health crisis and to implement portions or all of this declaration;
12. All stakeholders identify clear goals and objectives, including specific benchmarks, to assess progress and capitalize on opportunities to further advance racial equity and report semi-annual to the city council on the progress of these goals ; and
13. Advocate at the state and federal level for policies and funding and the Norwich City Council will consider in the organization’s budget allocating adequate financial resources to accomplish these activities.

**WHEREAS**, it is in our best interest to foster health equity throughout the entire City of Norwich and its residents;

**WHEREAS**, the City Council of Norwich wished to reaffirm its declaration of racism as a public health crisis;

**NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF NORWICH**, wishes to appoint a Health Equity Committee which shall include but not be limited to the Office of the City Manager, representatives of the Norwich Department of Human Services, the Uncas Health District, the Norwich Police Department, the Human Resources Department, United Community Family and Services, Rose City United, Generations, Hartford Health Care, Norwich NAACP Branch and Otis Library be it further resolved that said Health Equity Committee shall also include members of the general public and any stakeholders who wish to participate. Interested stakeholders may include members of the Norwich City Council.

Upon a motion of Ald. Nash, seconded by President Pro Tem Bettencourt, it was unanimously voted to waive the full reading and set a public hearing on August 16, 2021 at 7:30 pm for the second reading and action for the following ordinance introduced by Ald. Gould.

**Council’s Amending Ordinance**

**AN ORDINANCE AMENDING AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 21 OF THE NORWICH CODE OF ORDINANCES BY ADDING SECTIONS 21-135, 21-136, AND 21-137 RELATIVE TO THE EXTENSION OF A WATER MAIN AND OTHER IMPROVEMENTS TO SERVICE PROPERTIES IN THE CITY OF NORWICH, INCLUDING, BUT NOT LIMITED TO, PROPERTIES WITHIN THE COUNTRYSIDE DRIVE ASSOCIATION, AND PROVISIONS FOR THE LAYING OF ASSESSMENTS, ENTERING INTO WRITTEN AGREEMENTS REGARDING SUCH IMPROVEMENTS AND THE PAYMENT, COLLECTION, AND ASSESSMENT LIENS REGARDING THE SAME**

**WHEREAS**, on March 16, 2020, the City Council adopted an ordinance entitled “AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 21 OF THE NORWICH CODE OF ORDINANCES BY ADDING SECTIONS 21-135, 21-136, AND 21-137 RELATIVE TO THE EXTENSION OF A WATER MAIN AND OTHER IMPROVEMENTS TO SERVICE PROPERTIES IN THE CITY OF NORWICH, INCLUDING, BUT NOT LIMITED TO, PROPERTIES WITHIN THE COUNTRYSIDE DRIVE ASSOCIATION, AND PROVISIONS FOR THE LAYING OF ASSESSMENTS, ENTERING INTO WRITTEN AGREEMENTS REGARDING SUCH IMPROVEMENTS AND THE PAYMENT, COLLECTION, AND ASSESSMENT LIENS REGARDING THE SAME” (“Ordinance No. 1784”); and

**WHEREAS**, certain amendments are required to Ordinance No. 1784 to renumber Articles and Sections of Chapter 21 of the Norwich Code of Ordinances, to delete reference to the number of properties within the Countryside Drive Association, to include a maximum assessment amount per property within the Countryside Drive Association and to make certain amendments to the collection and lien language in the Ordinance.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH** that Ordinance No. 1784 is amended and restated to read as follow:

ARTICLE ~~IV~~VIII - ASSESSMENTS FOR WATER MAINS AND SYSTEMS

Sec. 21-~~435~~157. – Countryside Drive Association community well system.

- (a) Notwithstanding Sections 21-131 to 21-134 of the City of Norwich Code of Ordinances, the purpose of Sections 21-~~435~~157 to 21-~~437~~159, inclusive, is to provide for (i) the levying of assessments upon properties in the City of Norwich (including, but not limited to, the ~~original 17~~ properties within the Countryside Drive Association) which are benefitted by the extension of a water main beginning on Lawler Lane from the existing Norwich Public Utilities water main on Canterbury Turnpike and Lawler Lane, which water main will continue on Sunrise Street and Evergreen Street and loop back onto Canterbury Turnpike (together with lateral extensions to individual curb valves), (ii) the levying of assessments upon properties in the Countryside Drive Association which are benefitted by the extension of service lines from the new water main to the premises currently served by the failing and to be abandoned Countryside Drive Association community well system, and (iii) the methods of payment and other terms and conditions of such assessments, all in accordance with and subject to the limitations set forth in Section 7-137c of the Connecticut General Statutes.
- (b) The cost of the construction and installation of the new water main which will be assessed to the properties able to be served by said system in the following manner:
  - i. The final cost of the new water main extension and expenses incidental thereto, including engineering, inspection and other professional fees and interest, less any federal or state grants received by the City of Norwich or Norwich Public Utilities in connection with the construction and installation of the new water main extension, shall be divided equally among the ~~original 17~~ properties within the Countryside Drive Association to initially be served by the system.
  - ii. Said assessments shall be paid by the property owners in one of two following ways: (1) payment in full within 30 days of the first billing; or (2) payment over a period of twenty (20) years in two hundred and forty (240) equal monthly installments plus interest of 2.00%.
  - iii. If additional properties connect to the new water main extension during the assessment payment period, such additional properties may be assessed by the board of public utilities commissioners based on the special benefits accruing to the properties and any additional costs incurred by the department of public utilities relating to such connection. The board of public utilities commissioners shall determine the amount of any assessment, the methods of payment (including any installment payments), and the due dates for such assessments. The department of public utilities shall send written notice to the owner of such properties, which notice shall describe any proposed improvements, set forth the preliminary cost estimate of the improvements and be accompanied by a form prepared by the department of public utilities on which the owner shall indicate whether the owner is willing to share in bearing the cost of such improvements and which the owner shall return to the department of public utilities within 10 days of said notice.
- (c) The cost of the construction and installation of the service lines beginning at the curb valves and extending to the outside of the foundation wall of the ~~17~~ properties currently served by the failing and

to be abandoned Countryside Drive Association community well system will be assessed to such properties in the following manner:

- i. The final cost of the service lines and expenses incidental thereto, including engineering, inspection and other professional fees and interest, less any federal or state grants received by the City of Norwich or Norwich Public Utilities in connection with the construction and installation of the service lines, shall be divided equally among the ~~original 17~~ properties within the Countryside Drive Association to initially be served by the system.
  - ii. Said assessments shall be paid by the property owners in one of two following ways: (1) payment in full within 30 days of the first billing; or (2) payment over a period of twenty (20) years in two hundred and forty (240) equal monthly installments plus interest of 2.00%.
- (d) Notwithstanding (b) and (c) above, the maximum assessment amount against any property within the Countryside Drive Association to initially be served by the water main and service lines described in (b) and (c) above, shall be Two Thousand Eight Hundred Dollars (\$2,800.00). Said maximum assessment amount shall include the property owner's net cost for both the installation of the water main described in (b) above and the installation of the service line described in (c) above.

Sec. 21-~~136~~158. – Countryside Water System - Notice.

Prior to the commencement of any construction, the Norwich Public Utilities will enter into a written agreement with each of the owners of the ~~original 17~~ properties within the Countryside Drive Association to initially be served by the Countryside water system, which agreement shall describe the proposed improvements, set forth the preliminary cost estimate of the improvements, and provide for the property owner's agreement to share in bearing the cost of such improvements. After all such agreements are signed and returned to Norwich Public Utilities, the department of public utilities shall proceed forthwith with such project and the assessment of same upon completion. In the case of any conflict between the agreement and this Ordinance, the agreement shall control.

Sec. 21-~~137~~159. - Countryside Water System - Collection and liens.

- (a) All assessments for the Countryside water system which are levied shall become a debt due from the property against which they are assessed, to the board of public utilities commissioners, and may be, in addition to other remedies provided by law, recovered by any proper action in the name of such board.
- (b) In accordance with the Connecticut General Statutes, including Sections 7-137d and 7-140 of the Connecticut General Statutes, whenever assessments for the Countryside water system have been lawfully made and such system has been completed and certificates of lien have been signed by the duly constituted authorities, describing the premises upon which any such lien is claimed and stating the amount claimed as a lien thereon, and have been lodged with the town clerk, such assessments of benefits shall be and remain a lien upon the land upon which the same have been made. and neither the City of Norwich nor Norwich Public Utilities shall be required to lodge for record any further certificate of any such lien. Any assessment or any installment thereof, not paid within thirty days after the due date, shall be delinquent and shall be subject to interest from such due date at the interest rate and in the manner provided by the Connecticut General Statutes, including Sections 7-254 of the Connecticut General Statutes, for delinquent property taxes. Each addition of interest shall be collectible as a part of such assessment. Any real estate against which the Countryside water system assessment has been levied shall be subject to a lien for the amount of such assessment, as provided in Section 7-137d of the Connecticut General Statutes. Such lien shall exist from the due date as established by the board of public utilities commissioners and, during its existence, shall take precedence over all other liens or encumbrances and transfers, except as otherwise provided for in the Connecticut General Statutes. Such lien shall expire one year after the date on which it commences to run unless a certificate thereof containing a statement of the amount of such lien and a description of the premises upon which it is claimed shall be lodged for record by the board of public utilities commissioners in the office of the city clerk before the expiration of such period.
- (c) One certificate of lien as aforesaid may continue more than one lien and said board may include in one certificate any number of assessments for the Countryside water system not previously continued by a certificate and due within the year ending on the date of such filing.

- (d) All assessment liens for the Countryside water system levied by the board of public utilities commissioners may be foreclosed in the name of such board in the same manner as a lien for taxes may be foreclosed. ~~Any such lien shall be invalid after the expiration of ten years from the date of recording a certificate continuing the same, unless an action of foreclosure shall have been commenced within such time. If foreclosure shall not have been commenced after the expiration of ten years, the city clerk shall discharge such lien of record by noting thereon the words "discharged by operation of law" together with the date and city clerk's signature.~~

The fees for all certificates, recordation and releases pertaining to liens for the Countryside water system shall be the same as provided for in the matter of tax liens

Ordinance No. 1784 As Amended

ARTICLE VIII - ASSESSMENTS FOR WATER MAINS AND SYSTEMS

Sec. 21-157. – Countryside Drive Association community well system.

- (a) Notwithstanding Sections 21-131 to 21-134 of the City of Norwich Code of Ordinances, the purpose of Sections 21-157 to 21-159, inclusive, is to provide for (i) the levying of assessments upon properties in the City of Norwich (including, but not limited to, the properties within the Countryside Drive Association) which are benefitted by the extension of a water main beginning on Lawler Lane from the existing Norwich Public Utilities water main on Canterbury Turnpike and Lawler Lane, which water main will continue on Sunrise Street and Evergreen Street and loop back onto Canterbury Turnpike (together with lateral extensions to individual curb valves), (ii) the levying of assessments upon properties in the Countryside Drive Association which are benefitted by the extension of service lines from the new water main to the premises currently served by the failing and to be abandoned Countryside Drive Association community well system, and (iii) the methods of payment and other terms and conditions of such assessments, all in accordance with and subject to the limitations set forth in Section 7-137c of the Connecticut General Statutes.
- (b) The cost of the construction and installation of the new water main which will be assessed to the properties able to be served by said system in the following manner:
  - i. The final cost of the new water main extension and expenses incidental thereto, including engineering, inspection and other professional fees and interest, less any federal or state grants received by the City of Norwich or Norwich Public Utilities in connection with the construction and installation of the new water main extension, shall be divided equally among the properties within the Countryside Drive Association to initially be served by the system.
  - ii. Said assessments shall be paid by the property owners in one of two following ways: (1) payment in full within 30 days of the first billing; or (2) payment over a period of twenty (20) years in two hundred and forty (240) equal monthly installments plus interest of 2.00%.
  - iii. If additional properties connect to the new water main extension during the assessment payment period, such additional properties may be assessed by the board of public utilities commissioners based on the special benefits accruing to the properties and any additional costs incurred by the department of public utilities relating to such connection. The board of public utilities commissioners shall determine the amount of any assessment, the methods of payment (including any installment payments), and the due dates for such assessments. The department of public utilities shall send written notice to the owner of such properties, which notice shall describe any proposed improvements, set forth the preliminary cost estimate of the improvements and be accompanied by a form prepared by the department of public utilities on which the owner shall indicate whether the owner is willing to share in bearing the

cost of such improvements and which the owner shall return to the department of public utilities within 10 days of said notice.

- (c) The cost of the construction and installation of the service lines beginning at the curb valves and extending to the outside of the foundation wall of the properties currently served by the failing and to be abandoned Countryside Drive Association community well system will be assessed to such properties in the following manner:
  - i. The final cost of the service lines and expenses incidental thereto, including engineering, inspection and other professional fees and interest, less any federal or state grants received by the City of Norwich or Norwich Public Utilities in connection with the construction and installation of the service lines, shall be divided equally among the properties within the Countryside Drive Association to initially be served by the system.
  - ii. Said assessments shall be paid by the property owners in one of two following ways: (1) payment in full within 30 days of the first billing; or (2) payment over a period of twenty (20) years in two hundred and forty (240) equal monthly installments plus interest of 2.00%.
- (d) Notwithstanding (b) and (c) above, the maximum assessment amount against any property within the Countryside Drive Association to initially be served by the water main and service lines described in (b) and (c) above, shall be Two Thousand Eight Hundred Dollars (\$2,800.00). Said maximum assessment amount shall include the property owner's net cost for both the installation of the water main described in (b) above and the installation of the service line described in (c) above.

Sec. 21-158. – Countryside Water System - Notice.

Prior to the commencement of any construction, the Norwich Public Utilities will enter into a written agreement with each of the owners of the properties within the Countryside Drive Association to initially be served by the Countryside water system, which agreement shall describe the proposed improvements, set forth the preliminary cost estimate of the improvements, and provide for the property owner's agreement to share in bearing the cost of such improvements. After all such agreements are signed and returned to Norwich Public Utilities, the department of public utilities shall proceed forthwith with such project and the assessment of same upon completion. In the case of any conflict between the agreement and this Ordinance, the agreement shall control.

Sec. 21-159. - Countryside Water System - Collection and liens.

- (a) All assessments for the Countryside water system which are levied shall become a debt due from the property against which they are assessed, to the board of public utilities commissioners, and may be, in addition to other remedies provided by law, recovered by any proper action in the name of such board.
- (b) In accordance with the Connecticut General Statutes, including Sections 7-137d and 7-140 of the Connecticut General Statutes, whenever assessments for the Countryside water system have been lawfully made and such system has been completed and certificates of lien have been signed by the duly constituted authorities, describing the premises upon which any such lien is claimed and stating the amount claimed as a lien thereon, and have been lodged with the town clerk, such assessments of benefits shall be and remain a lien upon the land upon which the same have been made. and neither the City of Norwich nor Norwich Public Utilities shall be required to lodge for record any further certificate of any such lien. Any assessment or any installment thereof, not paid within thirty days after the due date, shall be delinquent and shall be subject to interest from such due date at the interest rate and in the manner provided by the Connecticut General Statutes, including Sections 7-254 of the Connecticut General Statutes, for delinquent property taxes. Each addition of interest shall be collectible as a part of such assessment.
- (c) One certificate of lien as aforesaid may continue more than one lien and said board may include in one certificate any number of assessments for the Countryside water system not previously continued by a certificate and due within the year ending on the date of such filing.
- (d) All assessment liens for the Countryside water system levied by the board of public utilities commissioners may be foreclosed in the name of such board in the same manner as a lien for taxes may be foreclosed.

The fees for all certificates, recordation and releases pertaining to liens for the Countryside water system shall be the same as provided for in the matter of tax liens

Upon motion of Ald. Gould, seconded by Ald. Nash, on a roll call vote it was unanimously voted to adjourn at 10:00 P.M.

*Bob Baumgardner*

City Clerk

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