

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on March 18, 2013, and that the same has not been amended or rescinded:

**WHEREAS**, the City of Norwich will undertake municipal projects to construct improvements to locally maintained roadways, structures and transportation enhancement facilities that are eligible for governmental financial assistance from the State of Connecticut Department of Transportation, the federal government, or both; and

**WHEREAS**, the State of Connecticut Department of Transportation is the authorized entity responsible for distributing the state and federal governmental financial assistance with respect to these municipal projects; and

**WHEREAS**, the State of Connecticut Department of Transportation has introduced a Master Municipal Agreement for Construction Projects (MMAC) to streamline the agreement process when the Department of Transportation conducts business with its municipal partners including the City of Norwich; and

**WHEREAS**, the Connecticut Department of Transportation will require the City to deliver to it two signed copies of the Master Municipal Agreement for Construction Projects on or before March 29, 2013 to allow the Department of Transportation to process them for state signatures.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that, City Manager Alan H. Bergren be and hereby is authorized and directed to enter into said Master Municipal Agreement for Construction Projects for Norwich, to sign two copies of the Master Municipal Agreement for Construction Projects between the State of Connecticut and the City of Norwich and to deliver the same in a timely manner to the Connecticut Department of Transportation

Dated at Norwich, Connecticut this 19th day of March 2013.

ATTEST: 

Betsy M. Barrett  
City Clerk

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on March 18, 2013, and that the same has not been amended or rescinded:

**WHEREAS**, the City of Norwich has a significant natural resource in the presence of the Yantic River; and

**WHEREAS**, the designation of the river corridor as a greenway is consistent with the City of Norwich's Plan of Conservation and Development, as indicated in its goals and objectives for open space preservation and natural resource protection; and

**WHEREAS**, the city has developed a Heritage Walk along a portion of the Yantic River and has preserved land as open space; and

**WHEREAS**, the Greenway will provide citizens with access to the rich historical, cultural and natural resources of the Yantic River through all of the towns in passes; and

**WHEREAS**, the Greenway will enhance the local economy by attracting visitors and encourage use of this resource for recreational activities; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Norwich, Connecticut that City manager, Alan H. Bergren be and hereby is authorized and directed to prepare and deliver to the Connecticut Greenways Council c/o the Department of Energy and Environmental Protection of the State of Connecticut, 79 Elm Street, Hartford, Connecticut 06103 a letter endorsing the nomination of the Yantic River Greenway as a designated state greenway and expressing the support of the Council of the City of Norwich for the same.

Dated at Norwich, Connecticut this 19th day of March 2013.

ATTEST: 

Betsy M. Barrett  
City Clerk

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on March 18, 2013, and that the same has not been amended or rescinded:

**WHEREAS**, the Council of the City of Norwich by resolution adopted February 22, 2011 established a Reid and Hughes Committee to analyze and make recommendations to the Council as to the repair, restoration, modification and marketing of the Reid and Hughes Building, this report to be made on or before the first Council meeting of September 2011; and

**WHEREAS**, at the request of the Committee, on September 6, 2011 the Council extended the date for the Committee to report its recommendations to the Council to the first meeting of the Council in February 2012; and

**WHEREAS**, on January 17, 2012 the Reid and Hughes Committee submitted a report to the Council of the City of Norwich summarizing its findings and making recommendations, including a recommendation the City issue a Request for Proposals; and

**WHEREAS**, on February 6, 2012 the Council of the City of Norwich appointed a Reid and Hughes Planning and Development Committee to develop and issue a Request for Proposals, to evaluate all proposals received and to submit all proposals together with its recommendations to the Council which reserved to itself all decisions to be made as to selecting any developer or any proposal, or none of the same, with respect to the development of the Reid and Hughes property; and

**WHEREAS**, the Reid and Hughes Planning and Development Committee issued a Request for Proposals, and received one proposal in response which was duly reported to the Council.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that, the Reid and Hughes Committee and the Reid and Hughes Planning and Development Committee, having completed their responsibilities, be and hereby are, dissolved with the thanks of the Norwich City Council for their dedicated service.

Dated at Norwich, Connecticut this 19th day of March 2013.

ATTEST:   
Betsy M. Barrett  
City Clerk

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on March 18, 2013, and that the same has not been amended or rescinded:

**WHEREAS**, United Community and Family Services has made an application to seek a Federal Qualified Health Center grant; and

**WHEREAS**, the Council of the City of Norwich formally expresses its support for this application for such a grant; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Norwich, that the City Manager Alan H. Bergren, be, and hereby is, to prepare and deliver a letter on behalf of the City of Norwich expressing its support of this application.

Dated at Norwich, Connecticut this 19th day of March 2013.

ATTEST:   
Betsy M. Barrett  
City Clerk

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on March 18, 2013, and that the same has not been amended or rescinded:

**WHEREAS**, the Council of the City of Norwich recognizes the current Norwich police station is inadequately sized to meet the current and anticipated demands of police work; and

**WHEREAS**, over the past several years a number of sites and properties have been considered as potential locations for a new police station, and various degrees of review of such sites have been performed; and

**WHEREAS**, studies have been done with respect to expanding the existing police station; and

**WHEREAS**, there may be sites or properties which have not yet been considered which would be suitable locations for a police station; and

**WHEREAS**, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to form a Police Station Committee to perform a comprehensive review of all sites which have been considered to date for the expansion of or the relocation of the Norwich police station, to identify and consider other sites which it may find to be suitable to the purpose, to rank sites suitable to meet the needs and mission of the police department in order of preference and to report the same to the Council of the City of Norwich.

**NOW THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH**, that a committee of 13 individuals be appointed as a Police Station Committee to perform such duties of review and ranking as are required of it to include:

- Review previous project information;
- Identify sites and scope information, including any potential new sites, suitable for development as a police station to meet the needs and the mission of the police department;
- Rank, in order of priority, which sites, (including any potential new sites), meet the needs and the mission of the police department;

- Recommend a course of action in a written report to be submitted to the Council by the first meeting of the Council in September, 2013

**AND BE IT FURTHER RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH,** that the following individuals are appointed to the Police Station Committee:

1. Martin Shapiro (R)
2. Dennis (Mickey) Jenkins (D)
3. Karen Neeley (D)
4. Derell Wilson (D)
5. Keith Ripley (D)
6. William Kenny (D)
7. David Eggleston (D)
8. Scott Camassar (R)
9. David Winkler (U)
10. Andrew Harvey (D)
11. Larry Kendall (D)
12. Valerie Aliano (R)
13. Robin Lawson (R)

Dated at Norwich, Connecticut this 19th day of March 2013.

ATTEST:   
Betsy M. Barrett  
City Clerk

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on March 18, 2013, and that the same has not been amended or rescinded:

**RESOLVED**, that the proposed Agreement between the City of Norwich, Connecticut and Council 4, AFSCME Local 2422 (City Hall Workers), covering the period between July 1, 2012 and June 30, 2015, be, and hereby is, approved in accordance with the provisions of Connecticut General Statutes, Section 7-474, and be it further resolved, that the City Manager, Alan H, Bergren, be, and hereby is, authorized and directed to execute the same in the name of the City.

Dated at Norwich, Connecticut this 19th day of March 2013.

ATTEST:



Betsy M. Barrett  
City Clerk

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on March 18, 2013, and that the same has not been amended or rescinded:

**WHEREAS**, in 2008 the City of Norwich entered into a contract with Blakeslee Arpaia Chapman, Inc. (BAC) to perform certain waterfront rehabilitation projects at the Howard T. Brown Memorial Park, the rehabilitation to be performed in two phases, a “Dock Phase” involving the removal and replacement of the existing dock and a “Bulkhead Phase” to involve the removal and replacement of a portion of the existing seawall; and

**WHEREAS**, in connection with this project the City of Norwich retained the services of Ocean and Coastal Consultants, Inc. to prepare the specifications and contract drawings for the project and to provide certain technical information including soil boring logs; and

**WHEREAS**, the Phase I work on the project included demolition, excavation, falsework and pile operations whereby BAC was required to drive piles into the riverbed to be used to support the new dock structure; and

**WHEREAS**, BAC commenced to drive piling into the riverbed in September or October of 2008; and

**WHEREAS**, on or about October 15, 2008 BAC first reported that it was behind schedule due to encountering obstructions in the pile line, approximately 10 to 15 feet below the mud line, which required it to drive a lead pile and then clam shell the rock to clear the pile line, which obstructions would cause delays and result in additional cost; and

**WHEREAS**, BAC claims such conditions continued throughout the performance of its work on Phase I of the project; and

**WHEREAS**, in performing Phase II of the project BAC encountered underground timber cribbing which prevented the Phase II portion of the project from proceeding as planned, requiring significant reengineering and a change in the type of seawall used; and

**WHEREAS**, BAC and the City of Norwich negotiated a change order on Phase II of the project, with both then agreeing that BAC reserved its right to claim a change order for extra work, extra costs and delay on Phase I of the project; and

**WHEREAS**, the City of Norwich and BAC could not reach an agreement on BAC’s claims for a change order on Phase I of the project; and

**WHEREAS**, BAC instituted a suit against the City of Norwich claiming that in performing its work on Phase I of the project it encountered significantly different subsurface conditions than as had been stated or represented in the specifications and drawings, and that the actual subsurface condition consisted of excessive unanticipated armor stones and timber cribbing which caused it to incur an additional \$150,000 in extra work and expenses to complete the installation of the foundation piles, \$20,000 to repair damages to slabs, bench pads and the seawall outside the immediate vicinity of excavation site due to the nature of the work performed, \$70,000 for additional labor, services, costs and expenses associated with cold weather concrete and the procedures required for the same due to delays, plus interest at the legal rate amounting to \$80,000 to date; and

**WHEREAS**, the City of Norwich has disputed such claims; and

**WHEREAS**, the parties met at a mediation held on March 12, 2013 and agreed to resolve all outstanding disputes relating to the Howard T. Brown Memorial Park Waterfront Rehabilitation Project for a further payment by the City of Norwich of \$160,000; and

**WHEREAS**, the Travelers Insurance Company on behalf of the City of Norwich has agreed to pay 1/3 of this settlement sum leaving the balance owed by the City of Norwich and its 2/3 of \$106,666.67, payment to be made to BAC's counsel within 15 days after approval of this settlement by the Council of the City of Norwich

**NOW THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH**, that the contingent settlement agreement entered into by BAC and the City of Norwich through Corporation Counsel Michael E. Driscoll, a copy of which is attached hereto as Exhibit A, be and hereby is ratified and approved and that the sum of \$106,666.67 be and hereby is appropriated for the payment of said settlement, the funds to be taken from the following accounts:

• 10210 88101 Brown Park City Pier	\$20,968.10
• 10212 88600 Road Improvements Capital Budget	\$31,092.50
• 10213 88600 Road Improvements Capital Budget	<u>\$54,606.07</u>
	\$106,666.67

Exhibit A

SETTLEMENT AGREEMENT

The plaintiff, Blakeslee Arpaia Chapman ("BAC"), and the defendant, the City of Norwich (the "City"), in the action styled NNH-CV-10-6014539-S, *Blakeslee Arpaia Chapman v. City of Norwich*, now pending in the Superior Court for the Judicial District of New Haven (the "Lawsuit") hereby agree to settle the Lawsuit as follows:

1. The City shall pay BAC the sum of One Hundred Sixty Thousand Dollars (\$160,000) in full and complete settlement of any and all claims and causes of action set forth in the Lawsuit or that could have been brought in said Lawsuit as arising out of or relating to the project known as the Howard T. Brown Memorial Park Waterfront Rehabilitation, Norwich, CT (the "Settlement Sum").
2. The payment of the Settlement Sum is expressly contingent on the approval of the City of Norwich City Council.
3. Counsel for the City agrees to present and recommend said settlement to said City Council at its Executive Session meeting scheduled for March 18, 2013.
4. Payment of said Settlement Sum to BAC by check or wired funds shall be made no later than fifteen (15) business days following approval of the City Council on March 18, 2013.
5. If approval of the City Council is obtained and payment of the Settlement Sum made as aforescribed, then counsel for BAC shall file a withdrawal of the Lawsuit immediately.
6. If approval of the City Council is not obtained, or if payment of the Settlement Sum is not made, all as aforescribed, then BAC shall not withdraw the Lawsuit and neither party will have any further obligation to the other under this Settlement Agreement.

Dated at Hartford, Connecticut this 12<sup>th</sup> day of March, 2013.

Blakeslee Arpaia Chapman

City of Norwich

By: Peter S. Chapman  
Its President  
Duly Authorized

By: [Signature]  
Its Captain Council  
Duly Authorized

Dated at Norwich, Connecticut this 19th day of March 2013.

ATTEST:

Betsy M. Barrett

Betsy M. Barrett  
City Clerk