

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by the Council of the City of Norwich at a meeting held on October 19, 2015, and that the same has not been amended or rescinded:

BE IT RESOLVED that the below named be appointed as **regular member** of the Mohegan Park Improvement and Development Advisory Committee with a term to expire on December 31, 2016 or until a successor is appointed:

Judith Magnano (D)

Dated at Norwich, Connecticut this 20th day of October 2015.

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by the Council of the City of Norwich at a meeting held on October 19, 2015, and that the same has not been amended or rescinded:

BE IT RESOLVED that the below named be appointed as a **regular member** of the Norwich Ice Arena Authority with a term to expire on April 01, 2017 or until a successor is appointed:

Tina Dempsey (U)

Dated at Norwich, Connecticut this 20th day of October 2015.

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by the Council of the City of Norwich at a meeting held on October 19, 2015, and that the same has not been amended or rescinded:

WHEREAS, there is the availability of \$110,000 in recaptured Community Development Block Grant (CDBG) funds from previous years' allocations; and

WHEREAS, a request for proposals was published in the Norwich Bulletin and on the City website on September 17, 2015 with a response date of October 13, 2015 in order to solicit applicants for this available funding; and

WHEREAS, the Community Development Advisory Committee (CDAC) will hold a public meeting on October 20, 2015 in order to make a recommendation to the Council of the City of Norwich regarding the applications listed below; and

WHEREAS, a substantial amendment to the Annual Action Plan is subject to a 30-day comment period prior to being placed into effect and the Council of the City of Norwich must hold a public hearing prior to the final vote on the amendment, the recommendations and the allocation; and

WHEREAS, notice of a public hearing before the Council regarding the allocation will be published and the public hearing will be held on November 2, 2015 at 7:30 pm in Council Chambers.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the Council shall and hereby does schedule a public hearing to be held at the November 2, 2015 Council meeting on the subject of Community Development Block Grant recaptured funds allocation recommendations for PY 2015.

Dated at Norwich, Connecticut this 20th day of October 2015.

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 October 19, 2015, and that the same has not been amended or rescinded:

WHEREAS, the Best Production Co., Inc. is a non-profit corporation operating a theater at 24 Chestnut Street, Norwich, Connecticut now known as the Chestnut Street Playhouse; and

WHEREAS, the City of Norwich and the Best Production Co., Inc. had entered into a Lease to Purchase Agreement dated September 28, 1999 which provided that the Best Production Co., Inc. was to purchase said property from the City of Norwich for a price of \$100,000 to be paid in installments; and

WHEREAS, the Best Production Co., Inc. made payments to the City of Norwich towards the total purchase price and requested the city transfer the property to it before the full price was paid and accept a mortgage in favor of the City of Norwich to secure the \$60,000 then owed on the purchase price, which arrangement the City of Norwich accepted; and

WHEREAS, as of October 13, 2009 the City of Norwich was owed \$45,800; and

WHEREAS, the Council of the City of Norwich by resolution adopted October 20, 2009 authorized the city manager to negotiate and to execute a mortgage modification agreement with the Best Production Co., Inc. deferring a lump sum payment of \$5,000 then owed to the end of the mortgage term; and

WHEREAS, the Best Production Co., Inc. requests a further mortgage modification agreement; and

WHEREAS, the principal balance on the note secured by the mortgage is \$31,000 as of October 1, 2015; and

WHEREAS, the Best Production Co., Inc. proposes to make a payment of \$8,000 towards this balance on or before October 19, 2015 and to make subsequent annual payments on or before October 1st of each succeeding year pursuant to the schedule attached hereto in Exhibit "A", which modification the Council finds to be in the best interest of the City of Norwich.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that Acting City Manager, John Bilda, be and hereby is authorized and directed to execute a mortgage modification agreement satisfactory to him but substantially incorporating the terms of Exhibit "A" attached hereto with the Best Production Co., Inc., if it has made a payment in the sum of \$8,000 towards its obligation to the City of Norwich on or before October 19, 2015.

EXHIBIT A

**PROMISSORY NOTE AND MORTGAGE
MODIFICATION AGREEMENT**

AGREEMENT effective as of the 1st day of October, 2015, the date of execution notwithstanding, by and between **THE CITY OF NORWICH**, a municipal corporation with a principal place of business at 100 Broadway, Norwich, Connecticut (hereinafter referred to as the "City") and the **BEST PRODUCTION COMPANY, INC.**, a Connecticut corporation with offices at 24 Chestnut Street, Norwich, Connecticut (hereinafter referred to as the "Borrower").

W I T N E S S E T H:

WHEREAS, Borrower is indebted to the City in the original principal sum of SIXTY THOUSAND and 00/100 (\$60,000.00) DOLLARS as evidenced by the Borrower's Promissory Note in said amount dated August 28, 2007 (hereinafter referred to as the "Note"); and,

WHEREAS, the Note is secured by a mortgage on property of the Borrower located in Norwich, Connecticut (the "Property"), which property is more specifically described in a mortgage deed recorded in Volume 2417, at Page 68 of the Norwich Land Records, which mortgage is incorporated herein by reference (the "Mortgage"); and,

WHEREAS, the Note and Mortgage were modified by way of a Modification Agreement dated March 19, 2011 and recorded April 8, 2011 at Volume 2671, Page 135 of the Norwich land records; and,

WHEREAS, as of the date of this Modification Agreement, the principal balance of the Note is \$23,800.00

WHEREAS, the parties have agreed to certain additional modifications of the Note and Mortgage.

NOW, THEREFORE for one dollar and other good and valuable consideration and in consideration of the mutual covenants herein contained, it is agreed that the terms of the Note and Mortgage are hereby modified as follows:

1. The note shall be modified by extending the maturity date to October 1, 2020.
2. The monthly payment of \$200.00 is hereby deleted.

3. Commencing on October 1, 2016 and every year thereafter, the annual payment shall be reduced to \$4,800.00.

4. Commencing on October 1, 2020, the final payment shall be \$4,600.00.

5. The Borrower has duly executed this instrument with the intent and to the effect of being bound by the terms of each and every document, and each covenant and condition therein contained, which heretofore secured or further evidenced the obligations under the Note, including without limitation the Mortgage and other such other loan documents, all as herein modified, amended and restated.

6. Nothing contained herein shall be deemed to release Borrower from any obligations to the City whatsoever, including but not limited to obligations arising under the Note, Mortgage or such other Loan Documents.

7. In the event this Agreement is determined to be void and unenforceable in whole or in part by a court of competent jurisdiction, or if this Agreement is determined to violate any state or federal law by such a court, or if any mortgagee having a mortgage interest recorded subsequent to the Mortgage is determined to have priority over the lien of the Mortgage by reason of this Agreement, then this Agreement shall cease and terminate at the option of the City and the parties hereto shall continue to be governed by the terms of the Note, the Mortgage and such other loan documents executed in connection therewith, as if this Agreement had never been made. Further, in such event the City shall have the express option to accelerate all obligations evidenced by the note pursuant to the terms of the Note and/or Mortgage pertaining to the unauthorized transfer of an interest in the Property as if this Agreement, or any prior agreements with respect to the subject matter hereof, had never been made.

8. This Agreement shall be binding upon City and Borrower, their respective heirs, successors and assigns.

9. Borrower does hereby waive and release all claims, setoffs and defenses to collection of the Note and the exercise of any right of the City to enforce its remedies under any document securing same or further evidencing Borrower's obligations to the City with respect to same including but not limited to the Mortgage arising out of any event occurring prior to the date of execution of this instrument, including but not limited to the negotiation and implementation of this Agreement.

10. Borrower shall have the right to seek future modifications of the Note and Mortgage, subject to the city council review and approval.

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 October 19, 2015, and that the same has not been amended or rescinded:

WHEREAS, the Council of the City of Norwich by resolution adopted October 6, 2014 formed the Community Center Exploration Committee to perform a comprehensive review of the need for and benefits of a community center in Norwich; and

WHEREAS, On November 17, 2014 the Council appointed members to the Community Center Exploration Committee and requested that it submit a written report expressing its recommendations to the Council on or before the first meeting of the Council in July of 2015; and

WHEREAS, On July 6, 2015 the Council accepted a letter from the Chairman of the Community Center Exploration Committee requesting an extension of time with respect to its reports, which request the Council approved; and

WHEREAS, on September 21, 2015 the Community Center Exploration Committee presented a report, making various recommendations including a recommendation that the Community Center Exploration Committee remain intact and available to reconvene to address issues which may arise with respect to any proposals regarding a community center; and

WHEREAS, the Council finds the Community Center Exploration Committee has been and can continue to be a valuable resource to the Council but wishes to set a termination date so that the Committee does not have perpetual existence.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the Community Center Exploration Committee remain an active committee of the City of Norwich through November 1, 2016, unless said termination date is extended, to continue to provide recommendations with respect to a community center in Norwich with all of the current members of said Committee to remain members;

AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that William Eyberse be and hereby appointed a member of the Community Center Exploration Committee to fill an existing vacancy.

Dated at Norwich, Connecticut this 20th day of October 2015.

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 October 19, 2015, and that the same has not been amended or rescinded:

WHEREAS, the Council of the City of Norwich, by resolution adopted on February 2, 2015, established the School Facilities Review Committee comprised of representatives of the Board of Education, Council of the City of Norwich and City administration for the purpose of facilitating the exchange of information necessary to fulfill the city's responsibilities with respect to school facilities; and

WHEREAS, on June 1, 2015, the School Facilities Review Committee voted to prepare a request for proposals to identify a firm to facilitate the review of the facilities; and

WHEREAS, on September 3, 2015, the City of Norwich issued Request for Proposals 16-02 – School Facilities Strategic Planning Services in July 2015 and received responses for the same; and

WHEREAS, on September 21, 2015, the School Facilities Review Committee selected the top two proposals and scheduled interviews with those top two firms; and

WHEREAS, on October 5, 2015, the School Facilities Review Committee interviewed the two firms and unanimously selected the proposal from JCJ Architecture, PC, working together with consultants selected by them ("JCJ"); and

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that Acting City Manager John Bilda be and hereby is authorized and directed to enter a contract with JCJ satisfactory to him for JCJ to perform strategic planning services as described in RFP 16-02 and the proposal submitted by JCJ.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that \$70,000 of the fees for the services to be provided by JCJ, which are expected not to exceed \$143,000, pursuant to this contract be and hereby is appropriated from Capital Contingency (Account 10216-88000).

BE IT ACKNOWLEDGED BY THE COUNCIL OF THE CITY OF NORWICH, that any fees for the services to be provided by JCJ pursuant to this contract in excess of \$70,000 shall be paid for from the General Fund budget of Norwich Public Schools (Account 01070-80700) or such education grant funds which may become available for such purpose.

Dated at Norwich, Connecticut this 20th day of October 2015.

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 October 19, 2015, and that the same has not been amended or rescinded:

WHEREAS, on May 28, 2013, the City of Norwich entered into a contract with Tax Management Associates, Inc. (“TMA”) to conduct audits of commercial personal property tax accounts; and

WHEREAS, pursuant to this contract, TMA is compensated with a fee equal to 25% of the taxes, penalties, and interest collected for discoveries resulting from each audit performed by TMA; and

WHEREAS, as of June 30, 2015, as a result of audits performed by TMA, the City of Norwich had collected \$92,624 in additional taxes, interest, and penalties in excess of its original personal property tax billings, with a 25% fee to TMA of \$23,156; and

WHEREAS, in October 2015, TMA completed an audit of Computer Sciences Corporation (“CSC”) for grand list years 2010, 2011, and 2012; and

WHEREAS, the taxes, interest, and penalties resulting from the audit of CSC totaled \$1,099,772, with a 25% fee to TMA of \$274,943; and

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, \$274,943 be and hereby is appropriated from General Fund Contingency account 01090-80086 for the purpose of paying the audit fee of TMA upon collection of the taxes, penalties, and interest from CSC.

Dated at Norwich, Connecticut this 20th day of October 2015.

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 October 19, 2015, 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, 2015 and June 30, 2018, be, and hereby is, approved in accordance with the provisions of Connecticut General Statutes, Section 7-474, and be it further resolved, that the Acting City Manager, John Bilda, be, and hereby is, authorized and directed to execute the same in the name of the City.

Dated at Norwich, Connecticut this 20th day of October 2015.

ATTEST:



Betsy M. Barrett
City Clerk