



**CITY OF NORWICH**  
CONNECTICUT

**AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH**  
**February 1, 2016**  
**7:30 PM**

**PRAYER**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF MINUTES:** January 4 and 19, 2016

**PUBLIC HEARINGS**

1. AN ORDINANCE APPROPRIATING \$400,000 FOR THE ACQUISITION OF THE PROPERTY LOCATED AT 1 TERMINAL WAY IN NORWICH, CONNECTICUT AND AUTHORIZING THE ISSUE OF \$400,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

**SECOND READING AND ACTION ON THE PROPOSED ORDINANCES LISTED ABOVE**

**PETITIONS AND COMMUNICATIONS**

1. Relative to a report from the Commission on the City Plan regarding the appropriation of \$400,000 for the acquisition of the property located at 1 Terminal Way for the proposed purpose of construction of a new municipal boat launch.
2. Relative to a letter of resignation of John J Mathieu from the Commission on the City Plan.

**CITY MANAGER'S REPORT**

**CITIZENS COMMENT ON RESOLUTIONS**

**NEW BUSINESS-RESOLUTIONS**

1. Relative to appointments of regular members and an alternate member to the Board of Appeals (Building Code).
2. Relative to an appointment to the School Facilities Review Committee.
3. Relative to an appointment to the Community Development Advisory Committee.

4. Relative to an appointment to the Rehabilitation Review Committee.
5. Relative to an appointment of a regular member to the Historic District Committee.
6. Relative to an appointment of an alternate member to the Personal and Pension Board.
7. Relative to appointments to the Southeastern Connecticut Regional Transit District (SEAT).
8. Relative to authorizing City Manager, John L. Salomone, entering into and delivering to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems necessary or appropriate.

City Clerk

*Betsy Bannister*

## PUBLIC HEARING #1

AN ORDINANCE APPROPRIATING \$400,000 FOR THE ACQUISITION OF THE PROPERTY LOCATED AT 1 TERMINAL WAY IN NORWICH, CONNECTICUT AND AUTHORIZING THE ISSUE OF \$400,000 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 \$400,000 is appropriated for the acquisition of the property located at 1 Terminal Way in Norwich, Connecticut for the relocation of a municipal boat launch from Brown Park on Chelsea Harbor Drive in Norwich, Connecticut and the costs related thereto (collectively, “Property”), and for all site work, easements, related improvements as may be accomplished within said appropriation provided herein, and including administrative, consulting, advertising, printing, legal and financing costs to the extent paid there from (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 \$400,000. No portion of the Project cost is expected to be paid from sources other than the proposed bond issue. The estimated useful life of the Project is more than 10 years. The Project is a general benefit to the City of Norwich and its general governmental purposes.

**Section 3.** To meet said appropriation \$400,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the tenth (10<sup>th</sup>) 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 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. They shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. 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 Project. 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 Project 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 Project in accordance with the provisions of the Statutes and the laws of the United States.

**Mayor Debery Hinchey**

## RESOLUTION #1

**BE IT RESOLVED** that the following be reappointed as **regular members** to the Board of Appeals (Building Code) for a term to expire on January 07, 2018 or until a successor is appointed;

Scott Barbarossa (D)  
Frank W. Blanchard (D)  
Thomas L. Cummings (D)  
Charles S. Learned (R)  
Peter Procko (U)

**BE IT RESOLVED** that the following be reappointed as an **alternate member** to the Board of Appeals (Building Code) for a term to expire on January 07, 2018 or until a successor is appointed;

Henry Olender (U)

President Pro Tem Peter Nystrom  
Aldерwoman Stacy Gould  
Alderman H. Tucker Braddock

**RESOLUTION #2**

**BE IT RESOLVED** that the Council Member listed below, be, and hereby is, appointed to the School Facilities Review Committee for a term to expire on December 5, 2017.

Ald. Joanne Philbrick (R)

Mayor Debercy Hinchey

**RESOLUTION #3**

**BE IT RESOLVED** that the following be appointed as a **regular member** to the Community Development Advisory Committee for a term to expire on December 31, 2017 or until a successor is appointed;

Sofee Noblick (R)

President Pro Tem Peter Nystrom  
Alderman Stacy Gould  
Alderman H. Tucker Braddock

## RESOLUTION #4

**BE IT RESOLVED** that the following be reappointed as a **regular** to the Rehabilitation Review Committee for a term to expire on December 31, 2017 or until a successor is appointed;

Rodney Bowie (R)

President Pro Tem Peter Nystrom  
Alderman Stacy Gould  
Alderman H. Tucker Braddock

**RESOLUTION #5**

**BE IT RESOLVED** that the below named be reappointed as a **regular member** to the Historic District Committee with a term to expire on December 31, 2017 or until a successor is appointed:

Charles S. Learned (R)

President Pro Tem Peter Nystrom  
Alderman Stacy Gould  
Alderman H. Tucker Braddock

**RESOLUTION #6**

**BE IT RESOLVED** that the following be reappointed as an **alternate** to the Personnel and Pension Board for a term to expire on March 01, 2017 or until a successor is appointed;

Zato Kadambaya (D)

President Pro Tem Peter Nystrom  
Alderman Stacy Gould  
Alderman H. Tucker Braddock

**RESOLUTION #7**

**WHEREAS**, the Mayor of the City of Norwich appoints two representatives to the Southeastern Connecticut Regional Transit District, said appointments to be made with Council approval; and

**WHEREAS**, the Mayor proposes to appoint City Manager John Salomone and herself as the city's representatives.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that City Manager John Salomone and Mayor Debercy Hinchey be appointed as representatives of the City of Norwich to the Southeastern Connecticut Regional Transit District (SEAT) with terms to expire on December 4, 2017, or until successors are appointed.

Mayor Debercy Hinchey

**RESOLUTION #8**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that the City Manager may enter into with and deliver to the State of Connecticut Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection any and all documents which it deems to be necessary or appropriate; and

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that John L. Salomone, City Manager of the City of Norwich, is authorized and directed to execute and deliver any and all documents on behalf of the City of Norwich and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

Mayor Debercy Hinchey