



CITY OF NORWICH
CONNECTICUT

AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
September 19, 2016
7:00 PM

PRAYER

PLEDGE OF ALLEGIANCE

CITIZEN COMMENT GENERAL (30 Minutes)

PETITION AND COMMUNICATIONS

1. Letter of resignation from Richard A. Caron Sr. from Dangerous Buildings Board of Review, and the other related committees.

CITY MANAGER'S REPORT

CITIZENS COMMENT ON RESOLUTIONS

NEW BUSINESS-RESOLUTIONS

1. Relative to authorizing These Guys Brewing Company LLC to use a portion of the parking lot located on 82-84 Franklin Street for an outside event September 23 & 24, 2016.
2. Relative to City Manager Salomone being authorized to enter into a written agreement with 395 Properties LLC that may be necessary to cause a fixing of the assessment at 154 Salem Turnpike.
3. Relative to City Manager Salomone writing a letter to State Representatives and the State Senator of the City of Norwich regarding adding Dodd Stadium to be exempt from admission tax.
4. Relative to adding land to Mohegan Park.
5. Relative to City Manager Salomone signing a CT Partnership for Success Initiative grant.

NEW BUSINESS- ORDINANCE

1. AN ORDINANCE AMENDING VARIOUS ORDINANCES APPROPRIATING FUNDS FOR VARIOUS PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS TO MEET SAID APPROPRIATIONS TO REMOVE CERTAIN BOND SALE REQUIREMENTS FROM SUCH ORDINANCES

2. AN ORDINANCE APPROPRIATING \$800,000 FOR THE CITY OF NORWICH'S SHARE OF COSTS RELATING TO THE DEMOLITION, REMOVAL OF DEBRIS AND LANDSCAPING ON THE REID & HUGHES PROPERTY AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

City Clerk

Patricia Bannard

RESOLUTION #1

WHEREAS, These Guys Brewing Company LLC has requested permission to conduct an event on September 23, 2016 and September 24, 2016 which will involve the serving and consumption of alcoholic beverages on city property at a parking lot located on 82-84 Franklin Street immediately outside These Guys Brew Pub; and

WHEREAS, the event will commence at 8:00 p.m., September 23, 2016 and last until 1:00 a.m., September 24, 2016.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, as required pursuant to section 13.14.2 of the Norwich Code of Ordinances, City Manager John Salomone be and hereby authorized and directed to grant Raymond J. Albert, Jr., Permittee and the These Guys Brewing Company LLC permission to use a portion of the abutting municipal parking lot for this purpose, subject their maintaining appropriate insurance coverage, adequate supervision, and their agreement to restore the premises to pre-event condition should a tent or other temporary structure be erected.

Mayor Deberey Hinchey

RESOLUTION #2

WHEREAS, Connecticut General Statute §12-65b, et seq. permits any municipality, by affirmative vote to its legislative body, to enter into a written agreement with any party owning or proposing to acquire an interest in certain real property in such municipality fixing the assessment of the real property which is the subject of the agreement and all improvements thereon to be constructed if the improvements are for one of a number of uses listed in the statute and the fixing of the assessment shall be for a period of not more than seven (7) years provided the cost of such improvements is not less than Three Million (\$3,000,000) Dollars; and

WHEREAS, construction on the property at 154 Salem Turnpike commenced several years ago but the structure has not been completed, has been vacant for a number of years, has suffered damage from vandalism and weather damage and requires more than Three Million (\$3,000,000) Dollars in construction and other work as improvements to become viable; and

WHEREAS, a developer, 395 Properties, LLC, proposes to acquire the property to make and finish improvements costing more than Three Million (\$3,000,000) Dollars in a timely fashion such that the building may be productively used; and

WHEREAS, the Council finds fixing the assessment for this property for a period of seven (7) years to be in the best interest of the City of Norwich; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, it approves a satisfactory written agreement with 395 Properties LLC fixing the assessment on said property for a period of seven (7) years pursuant to a schedule prepared by the assessor, a copy of which is attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that City Manager John Salomone be and hereby is authorized and directed on behalf of the City of Norwich to enter into a written agreement satisfactory to him with 395 Properties LLC together with such other documents or agreements as may be necessary to cause a fixing of the assessment.

Mayor Deberey Hinchey

| EXHIBIT A | | | | |
|--------------------------------------|-------------|------|----------------------------------|--|
| ASSESSMENT DEFERRAL - 154 SALEM TPKE | | | | |
| G/L Yr | Orig Assm't | Year | Assessment Increase - % deferred | |
| 10/1/2016 | \$ 880,600 | | | |
| 10/1/2017 | \$ 880,600 | 1 | 100% | |
| 10/1/2018 | \$ 880,600 | 2 | 100% | |
| 10/1/2019 | \$ 880,600 | 3 | 50% | |
| 10/1/2020 | \$ 880,600 | 4 | 40% | |
| 10/1/2021 | \$ 880,600 | 5 | 30% | |
| 10/1/2022 | \$ 880,600 | 6 | 20% | |
| 10/1/2023 | \$ 880,600 | 7 | 10% | |

RESOLUTION #3

WHEREAS, Connecticut General Statute §12-541(a) imposes a tax of ten (10%) percent of the admission charge to any place of amusement, entertainment or recreation, but provides for a number of exemptions to this tax; and

WHEREAS, by action of the state legislature in 2006, events to be held at Dodd Stadium were added to the exempt list effective, November 1, 2006, which exemption was reversed as to Dodd Stadium in 2011 under Public Act 11-6; and

WHEREAS, certain other stadiums in Connecticut still enjoy an exemption from this admission tax; and

WHEREAS, in 2016 the legislature of the State of Connecticut amended Connecticut General Statute §12-541 to add Dunkin Donuts Park in Hartford and New Britain Stadium to the list of venues exempt from the tax and the legislature separately provided that a municipality may by ordinance, impose a surcharge on the admission charge, as defined in subsection 3 of section 12-540 of the General Statutes, for any event that is held at a facility located within a municipality; and

WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to request that its state representatives and state senator cooperate to submit legislation in 2017 to add Dodd Stadium to the list of exempt venues recognizing that the successful passage of such legislation would permit the Council of the City of Norwich to consider whether to implement a five (5) % surcharge on admissions to events at Dodd Stadium

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, City Manager John Salomone be and hereby is requested to write on behalf of the Council of the City of Norwich to the state representatives and state senator of the City of Norwich to express the opinion of the Council of the City of Norwich concerning this issue and to request that they submit and pursue such legislation to add Dodd Stadium to the list of exempt facilities and venues, with respect to the legislation proposed in this resolution.

President Pro Tem Peter Albert Nystrom

WHEREAS, Mohegan Park is a City of Norwich owned park used for various recreational activities; and

WHEREAS, the Council of the City of Norwich by resolution adopted July 2, 2007, on recommendation of the Mohegan Park Improvement and Development Advisory Committee, and following review and approval by the Commission on the City Plan added properties to Mohegan Park for purposes of expanding the park identified as:

| | |
|---------------------|--|
| 49 Orton Street | Map 78, Block 1, Lot 5 (Vision Appraisal PID #773), |
| 30 Dartmouth Street | Map 70, Block 1, Lot 60 (Vision Appraisal PID #4166), |
| 35 Dartmouth Street | Map 70, Block 1, Lot 61 (Vision Appraisal PID #4167), |
| 40 Dartmouth Street | Map 70, Block 1, Lot 59 (Vision Appraisal PID #4169), |
| Dartmouth Street | map 70, Block 1, Lot 62 (Vision Appraisal PID #12546); and |

WHEREAS, by resolution adopted November 20, 2006 following favorable recommendations from the Mohegan Park Improvement and Development Advisory Committee and the Commission on the City Plan, the Council of the City of Norwich authorized the acquisition of property identified as

| | |
|-----------------------|---|
| 189 Mohegan Park Road | Map 77, Block 1, Lot 27 (Vision Appraisal PID #217), |
| 195 Mohegan Park Road | Map 78, Block 1, Lot 1 (Vision Appraisal PID #218); and |

WHEREAS, by resolution adopted September 6, 1994 the Council of the City of Norwich agreed to accept a deed to fifteen (15) lots known as lots nos. 799-813 on St. Regis Avenue as shown in the Norwich Land Record Book of Plans No. 2, page 66 and identified as map 70 block 1 lot 63 (Vision Appraisal PID #1005); and

WHEREAS, by resolution adopted January 6, 2014 the Council of the City of Norwich, following a favorable review by the Commission on the City Plan agreed to accept a gift of an undeveloped parcel of land located to the rear of Prentice Lane identified as map 78 block 1 lot 6 (Vision Appraisal PID #100002) shown as Tract One on a boundary survey recorded in volume 12 at page 638 of the record of maps and surveys in the office of the Norwich city clerk anticipating the land might be incorporated within Mohegan Park and maintained as open-space; and

WHEREAS, the properties at 189 Mohegan Park Road, 195 Mohegan Park Road, St. Regis Avenue and Prentice Lane Rear are all located easterly of Mohegan Park and abut the park; and

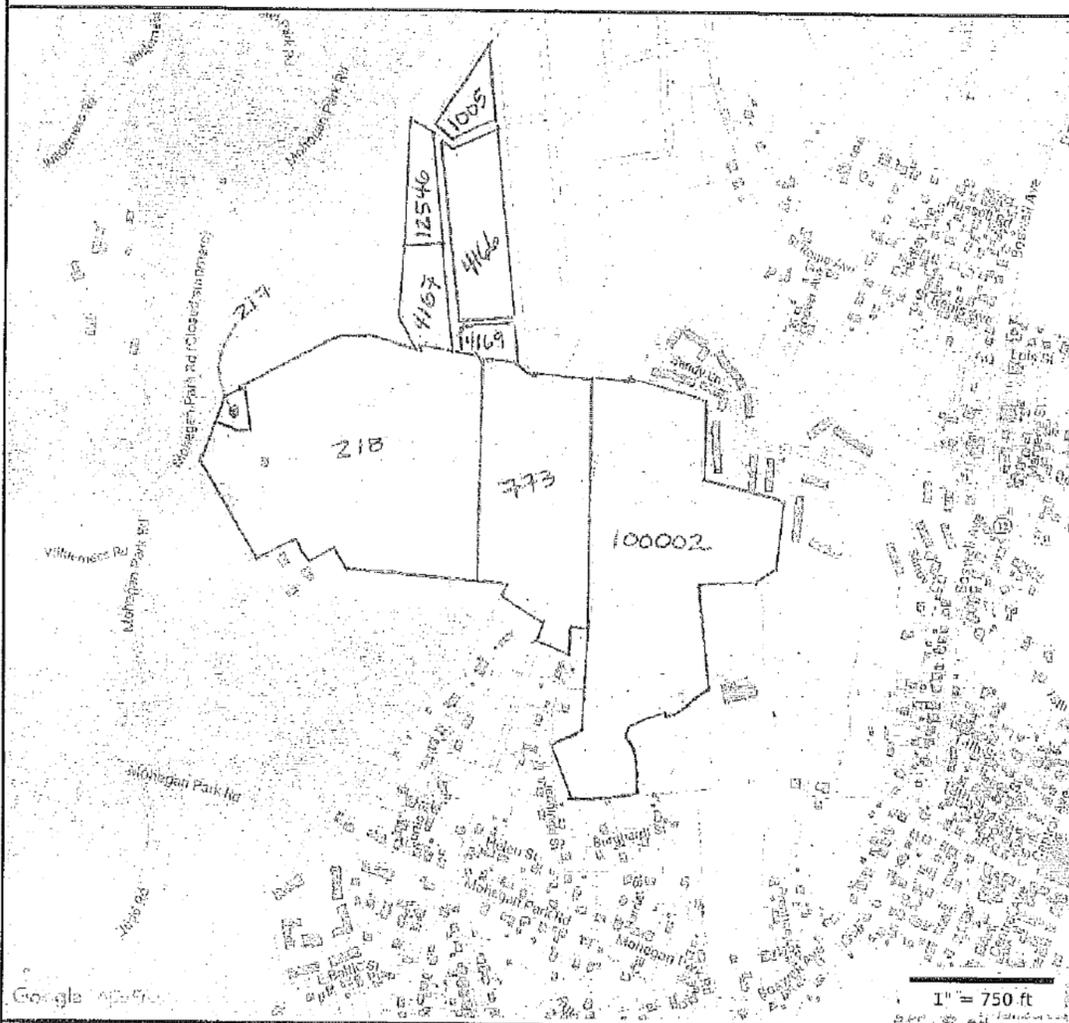
WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the city to incorporate said parcels, 189 Mohegan Park Road, 195 Mohegan Park Road, Prentice Lane Rear and St. Regis Avenue into Mohegan Park.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, the properties identified as 189 Mohegan Park Road, 195 Mohegan Park Road, St. Regis Avenue and Prentice Lane Rear be incorporated in Mohegan Park within the descriptive boundaries thereof for purposes of expanding Mohegan Park and to permit the future improvement and development of Mohegan Park.

(Exhibit A attached for reference)

Alderwoman Joanne Philbrick

Mohegan Park Parcels - WITH ID #'S



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Norwich, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 10/30/2014
Properties updated 09/12/2016

| City of Norwich Parcels | | | |
|-------------------------|----------------|---------------------|---------|
| Vision PID # | Map/Block/ Lot | St Address | Acreage |
| 217 | 77/1/27 | 189 Mohegan Park Rd | 0.7 |
| 218 | 78/1/1 | 195 Mohegan Park Rd | 20.18 |
| 773 | 78/1/5 | 49 Orton St | 19.3 |
| 100002 | 78/1/6 | Prentice Ln Rear | 30.64 |
| 4166 | 70/1/60 | 30 Dartmouth St | 6.42 |
| 4169 | 70/1/61 | 35 Dartmouth St | 3.51 |
| 4169 | 70/1/59 | 40 Dartmouth St | 1.16 |
| 1005 | 70/1/63 | St Regis Ave | 1.72 |
| 12546 | 70/1/62 | Dartmouth St | 2 |
| | | | |
| | | | 85.63 |

RESOLUTION #5

WHEREAS, The State of Connecticut Department of Addiction Services has put out a request for proposals to high need communities to receive federal funding from the Substance Abuse and Mental Health Services Administration to achieve measurable decreases in substance abuse use and related problems under the CT Partnership for Success (PFS) Initiative and,

WHEREAS, the Norwich Human Services (Norwich Youth and Family division) has applied for and has been approved for said funding in the amount of \$138,094 per year for four years to develop and participate in initiatives that help Norwich residents prevent substance abuse and prescription drug misuse, and

WHEREAS, the PFS initiative will allow NHS/YFS to assist Norwich young adults, age 12 to 20 with the prevention of underage drinking and young adults between 12 and 25 years of age with the prevention of prescription drug use/misuse, and

WHEREAS, all cost associated with this initiative are covered by the grant, including personnel, fringe benefits, equipment, materials and travel, and that no City funds are required to match this grant

WHEREAS NOW, THEREFORE, BE IT RESOLVED BY THE NORWICH CITY COUNCIL, that the City Manager, John Salomone, is authorized to enter into contract for funding available through the State of Connecticut Department of Mental Health and Addiction Services on behalf of Norwich Human Services to participate in this initiative.

City Manager John Salomone

COUNCIL'S AMENDING ORDINANCE

AN ORDINANCE AMENDING VARIOUS ORDINANCES APPROPRIATING FUNDS FOR VARIOUS PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS TO MEET SAID APPROPRIATIONS TO REMOVE CERTAIN BOND SALE REQUIREMENTS FROM SUCH ORDINANCES

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

WHEREAS, the City Council adopted an ordinance on June 21, 2004 entitled, "AN ORDINANCE APPROPRIATING \$200,000 FOR IMPROVEMENTS TO NEW LONDON TURNPIKE AND PLEASANT STREET BRIDGES AND AUTHORIZING THE ISSUE OF \$200,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" (Ordinance #1514), which was amended by an ordinance adopted by the City Council on January 16, 2007 entitled, "AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$200,000 FOR IMPROVEMENTS TO NEW LONDON TURNPIKE AND PLEASANT STREET BRIDGES AND AUTHORIZING THE ISSUE OF \$200,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" ("Ordinance #1562");

WHEREAS, the City Council adopted an ordinance on August 6, 2007 entitled, "AN ORDINANCE APPROPRIATING \$40,250,000 FOR THE RENOVATION AND EXPANSION OF KELLY MIDDLE SCHOOL AND AUTHORIZING THE ISSUE OF \$40,250,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" which was approved by Referendum on November 6, 2007 ("Ordinance #1570");

WHEREAS, the City Council adopted an ordinance on August 16, 2010 entitled, "AN ORDINANCE APPROPRIATING \$3,380,000 FOR THE CITY OF NORWICH DOWNTOWN REVITALIZATION INITIATIVE TO SPUR ECONOMIC DEVELOPMENT AND AUTHORIZING THE ISSUE OF \$3,380,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" which was approved by Referendum on November 2, 2010 ("Ordinance #1641");

WHEREAS, the City Council adopted an ordinance on August 19, 2013 entitled, "AN ORDINANCE APPROPRIATING \$5,000,000 FOR THE CITY OF NORWICH INFRASTRUCTURE IMPROVEMENT PROGRAM (2013) AND AUTHORIZING THE ISSUE OF \$5,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" which was approved by Referendum on November 5, 2013 ("Ordinance #1690");

WHEREAS, the City Council adopted an ordinance on July 7, 2014 entitled, “AN ORDINANCE APPROPRIATING \$9,500,000 FOR IMPROVEMENTS TO THE CITY’S NATURAL GAS SYSTEM WITHIN THE CITY’S SERVICE FRANCHISE AND AUTHORIZING THE ISSUE OF \$9,500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE” which was approved by Referendum on November 4, 2014 (“Ordinance #1704,” and collectively with Ordinance #1514, 1570, 1641 and 1690, the “Prior Ordinances”);

WHEREAS, Section 5 of the Prior Ordinances required that “[a] notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds”;

WHEREAS, the cost of publishing such notice of sale or summary thereof relating to the City’s bonds in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds is prohibitively expensive and not necessary for the successful sale of the City’s bonds;

WHEREAS, Section 5 of Ordinances #1514, #1570 and #1641 required that “[i]f the bonds are sold by negotiation the purchase contract shall be approved by the City Council”; and

WHEREAS, since 2013, the City Council has authorized the City Manager and the Comptroller to enter into and sign the purchase contract relating to bonds.

BE IT ORDAINED BY THE COUNCIL OF THE CITY:

Section 1. Section 5 of Ordinance #1514 is amended and restated to read as follow:

“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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City, or comparable method. ~~A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the City Council.~~ With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Manager and Comptroller are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount applied.”

Section 2. Section 5 of Ordinance #1570 is amended and restated to read as follow:

“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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City. ~~A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the City Council.~~”

Section 3. Section 5 of Ordinance #1641 is amended and restated to read as follow:

“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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City, ~~or comparable method. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the City Council.~~”

Section 4. Section 5 of Ordinance #1690 is amended and restated to read as follow:

“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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City. ~~A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds.~~

Section 5. Section 5 of Ordinance #1704 is amended and restated to read as follow:

“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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City. ~~A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in~~

~~advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds.~~ With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Manager and Comptroller are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount applied.

Section 6. The City Clerk shall cause amended versions of each of the Prior Ordinances incorporating the amended Section 5 language to be prepared, labeled “As Amended” at the top, and filed within minutes of the meeting at which these Amended Ordinances are adopted.

Section 7. These Amended Ordinances shall be effective upon adoption by the City Council.

City Manager John Salomone

Council Ordinance

AN ORDINANCE APPROPRIATING \$800,000 FOR THE CITY OF NORWICH'S SHARE OF COSTS RELATING TO THE DEMOLITION, REMOVAL OF DEBRIS AND LANDSCAPING ON THE REID & HUGHES PROPERTY AND AUTHORIZING THE ISSUE OF \$800,000 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 \$800,000 is appropriated for the City of Norwich's (the "City") share of costs relating to the demolition, removal of debris, and landscaping on the Reid & Hughes property, including, but not limited to, engineering, materials, contingencies, inspection and such additional related costs as may be accomplished within said appropriation (the "Project"), and for administrative, consulting, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be in addition to grant funding and all prior and future appropriations for said purpose.

Section 2. The total cost of the Project is estimated to be \$800,000. 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 at least twenty (20) years. The Project is a general benefit to the City of Norwich and its general governmental purposes.

Section 3. To meet said appropriation \$800,000 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 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.

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 Deberoy Hinchey
Alderman Stacy Gould