



CITY OF NORWICH
CONNECTICUT

AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
January 4, 2016
7:30 PM

PRAYER

PLEDGE OF ALLEGIANCE

ADOPTION OF MINUTES: December 1, 7 and 21, 2015

PETITIONS AND COMMUNICATIONS

1. Oral presentation regarding the GIS Emergency response system.

STATE OF THE CITY ADDRESS: Mayor Deberey A. Hinchey

ACTING CITY MANAGER'S REPORT

CITIZENS COMMENT ON RESOLUTIONS

NEW BUSINESS-RESOLUTIONS

1. Relative to accepting a street known as "Boulder Trail".
2. Relative to a license agreement involving a portion of City property at 77 Chestnut Street.

NEW BUSINESS-ORDINANCES

1. AN ORDINANCE APPROPRIATING \$800,000 FOR SELF CONTAINED BREATHING APPARATUS PACKS FOR THE CITY OF NORWICH FIRE DEPARTMENTS 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
2. 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

City Clerk

Bob W. Bennett

RESOLUTION #1

WHEREAS, In January of 2008 Roy B. Fleming submitted a subdivision/re-subdivision application to construct a 4-lot re-subdivision with cul de sac to include a street to be known as "Boulder Trail" on property located at 180 Plain Hill Road, which application was assigned file no. 414; and

WHEREAS, on March 18, 2008 the Commission on the City Plan approved said 4-lot re-subdivision subject to conditions suggested by various departments of the city including the following: the proposed road be lowered 2 ½ feet to reduce disturbance to the wetlands, a sidewalk added to the north side of the proposed cul de sac, road shoulders be modified in accordance with the city engineer's comments, street lights be added at the end of the cul de sac and at the intersection of the proposed road with Plain Hill Road, the storm water basin be relocated closer to the wetlands, traffic signs be placed as requested by the traffic authority, and easements be prepared to allow access to the city of Norwich to all areas encumbered by drainage features for maintenance; and a bond for \$105,350 for the completion of improvements be posted; and

WHEREAS, said bond was posted and the improvements commenced; and

WHEREAS, the Council of the City of Norwich, by resolution adopted June 2, 2008 authorized City Manager Alan H. Bergren to accept a grant of drainage easements from Roy B. Fleming to the city of Norwich requiring the city of Norwich to maintain or repair any drainage improvements erected in the easement area and requiring Roy B. Fleming and his successors not to block or impede the surface water flow as to defeat the purpose of any drainage improvement within the easement area; and

WHEREAS, such drainage easements were recorded on July 9, 2008 and July 30, 2008 in the Norwich Land Records at volume 2495 page 95 and volume 2499 page 62 respectively; and

WHEREAS, Roy B. Fleming has completed the improvements required by the Commission on the City Plan and the street as constructed has been approved by the city engineer; and

WHEREAS, Roy B. Fleming proposes to dedicate the street to be known as "Boulder Trail" to public use and convey by warranty deed to the city of Norwich a fee interest in the same consisting of 28,847 square feet (0.66 acres) more or less.

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, subject to the approval of the corporation counsel, to receive and record a warranty deed from Roy B. Fleming, a copy of which is attached hereto as Exhibit A, conveying to the city of Norwich the fee title to the street within said subdivision to be known as "Boulder Trail", to cause such deed to be recorded on the land records of the city of Norwich, and to execute, deliver, receive and/or record such other documents on behalf of the city of Norwich may be necessary to effectuate this transfer; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that said street shall be known as "Boulder Trail".

Mayor Deberoy Hinchey

Return To:
City of Norwich Planning & Zoning

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Roy B. Fleming, of the Town of Norwich, County of New London and State of Connecticut County of New London and State of Connecticut (the "Grantor"), for good and valuable consideration received to his full satisfaction of **City of Norwich**, a Connecticut municipality in the County of New London and State of Connecticut (the "Grantee"), does give, grant, bargain, sell and confirm unto the Grantee, its successors and assigns forever, a certain piece or parcel of land, with the improvements thereon and appurtenances thereto, situated in the Town of Norwich, County of New London and State of Connecticut, and more particularly described in Schedule A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above granted and bargained premises unto the Grantee, its successors and assigns forever, to its and their own proper use and behoof.

AND ALSO, the Grantor does for himself and his heirs and assigns, covenant with the Grantee, its successors and assigns, that at and until the ensealing of these presents, he is well seized of the premises as a good indefeasible estate in fee simple and has good right to bargain and sell the same in manner and form as is above written, and that the same are free from all encumbrances whatsoever, except as hereinbefore mentioned.

AND FURTHERMORE, the Grantor does by these presents bind himself and his heirs and assigns to WARRANT AND DEFEND the above granted and bargained premises to the Grantee, its successors and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, the Grantor has executed this warranty deed effective as of the ___ day of December, 2015.

Signed, Sealed and Delivered
In the Presence of:

Roy B. Fleming

EXHIBIT A

STATE OF CONNECTICUT

ss: Norwich

COUNTY OF NEW LONDON

On this, the ___ day of December, 2015, before me, the undersigned officer, personally appeared Roy B. Fleming, signer and sealer of the foregoing instrument who acknowledged the signing of the same to be his free act and deed.

Commissioner of the Superior Court
Notary Public
My Comm. Expires: _____

"SCHEDULE A"

A certain tract of land located westerly of Plain Hill Road in the City of Norwich, County of New London State of Connecticut, being more particularly depicted as "Boulder Trail" on a plan entitled "RESUBDIVISION PLAN PREPARED FOR ROY B. FLEMING 180 PLAIN HILL ROAD NORWICH, CONNECTICUT SCALES AS SHOWN DECEMBER 2007 LAST REVISED 3-18-08 JOB I.D. NO.: 07-0047 SHEETS 1-8 OF 8", Prepared by Camp Land Surveyors, LLC, Susan F. Camp, L.S., 148 Route 2, Preston, Connecticut 06365, (860) 889-1999. Said road right of way is also depicted on a plan entitled, "IMPROVEMENT LOCATION SURVEY DEPICTING 'BOULDER TRAIL' PREPARED FOR ROY B. FLEMING 180 PLAIN HILL ROAD NORWICH, CONNECTICUT SCALE: 1"=40' DATE: MARCH 2013 JOB I.D. NO.: 07-0047" Prepared by Mattern & Stefon Land Surveyors, LLC, 148 Route 2, Preston, Connecticut 06365, (860) 889-1999.

Beginning at a rebar/cap set at the face intersection of a stonewall on the westerly existing street line of Plain Hill Road and abutting lands now or formerly of Mark J. Marcy to the south.

Thence along said Marcy, along a stonewall centerline the following courses and distances:
 N 72°-49'-07" W, 69.21' to a point,
 S 78°-39'-15" W, 7.90' to a rebar with cap set at a stonewall intersection, abutting Lot #1 as depicted on said plan to the west.

Thence along said Lot #1, the following:

N 30°-07'-37" E, 6.43' to a rebar/cap set,
 N 72°-08'-01" W, 125.37' to a rebar/cap set,
 N 72°-08'-01" W, 83.32' to a monument set at a point of curvature,
 Along a curve deflecting to the right having a central angle of 23°-00'-48", a radius of 175.00', an arc length of 70.29', a tangent length of 35.63', a chord bearing of N 60°-37'-37" W and a chord length of 69.82' to a monument set at a point of tangency,
 N 49°-07'-13" W, 67.84' to a monument set at a point of curvature,
 Along a curve deflecting to the left having a central angle of 48°-11'-23", a radius of 25.00', an arc length of 21.03', a tangent length of 11.18', a chord bearing of N 73°-12'-54" W and a chord length of 20.41' to a monument set at a point of reverse curvature,
 Along a curve deflecting to the right having a central angle of 35°-09'-02", a radius of 50.00', an arc length of 30.67', a tangent length of 15.84', a chord bearing of N 79°-44'-05" W and a chord length of 30.20' to a point, abutting Lot #2 as depicted on said plan to the west.

Thence along said Lot #2, along a curve deflecting to the right having a central angle of 100°-32'-26", a radius of 50.00', an arc length of 87.74', a tangent length of 60.16', a chord bearing of N 11°-53'-21" W and a chord length of 76.91' to a rebar with cap set, abutting Lot #3 as depicted on said plan to the north and east.

Thence along said Lot #3, the following:

Along a curve deflecting to the right having a central angle of 140°-41'-18", a radius of 50.00', an arc length of 122.77', a tangent length of 139.98', a chord bearing of S 71°-16'-29" E and a chord length of 94.17' to a monument set at a point of reverse curvature,

EXHIBIT A.

Along a curve deflecting to the left having a central angle of $48^{\circ}-11'-23''$, a radius of 25.00', an arc length of 21.03', a tangent length of 11.18', a chord bearing of $S\ 25^{\circ}-01'-31''\ E$ and a chord length of 20.41' to a monument set at a point of tangency,

$S\ 49^{\circ}-07'-13''\ E$, 67.84' to a monument set at a point of curvature,

Along a curve deflecting to the left having a central angle of $23^{\circ}-00'-48''$, a radius of 125.00', an arc length of 50.21', a tangent length of 25.45', a chord bearing of $S\ 60^{\circ}-37'-37''\ E$ and a chord length of 49.87' to a monument set at a point of tangency, at the southeast corner of said Lot #3 and the southwest corner of Lot #4 as depicted on said plan.

Thence along said Lot #4, the following courses and distances:

$S\ 72^{\circ}-08'-01''\ E$, 130.00' to a rebar/cap set,

$S\ 72^{\circ}-08'-01''\ E$, 145.87' to a rebar/cap set on the westerly existing streetline of Plain Hill Road, at the southeast corner of said Lot #4.

Thence along said westerly existing streetline of Plain Hill Road, the following courses and distances:

$S\ 09^{\circ}-22'-15''\ W$, 24.84' to a point,

$S\ 09^{\circ}-42'-17''\ W$, 17.10' to a point,

$S\ 09^{\circ}-37'-32''\ W$, 10.21' to the point and place of beginning.

Said road right of way contains 28,846 square feet or 0.66 acre of land more or less.

RESOLUTION #2

WHEREAS, the City of Norwich owns the property known as 77 Chestnut Street, (Map 102 Block 3 Lot 11); and

WHEREAS, the premises at 89 Chestnut Street (Map 93 Block 3 Lot 33) includes a private residence owned by Anthony and Roseanna Heft who are the parents of Anthony D. Heft; and

WHEREAS, 77 Chestnut Street and 89 Chestnut Street are located within an area of the City that has been the focus of efforts for economic redevelopment and reuse in order to enhance property values; and

WHEREAS, the property at 89 Chestnut Street includes a driveway that is immediately adjacent to the property at 77 Chestnut Street; and

WHEREAS, the driveway at 89 Chestnut Street is too narrow for purposes of providing pedestrian access and vehicle parking; and

WHEREAS, Anthony D. Heft, a resident of 89 Chestnut Street, has requested that the City of Norwich grant a license, personal to him, permitting him use of a portion of the parcel at 77 Chestnut Street measuring approximately 11 feet by 102 feet to provide better pedestrian access to, and additional vehicle parking space at 89 Chestnut Street reducing the need for on street parking and improving the safe use of the property; and

WHEREAS, the City of Norwich has no immediate need for the property at 77 Chestnut Street but anticipates that it will be improved or developed in connection with other property or independently within the next several years; and

WHEREAS, the City of Norwich and Anthony D. Heft propose to enter into a license agreement permitting use of the City property as proposed by Anthony D. Heft but terminable at any time at the sole discretion of the City of Norwich; and

WHEREAS, the City of Norwich and Anthony D. Heft agree that this license agreement shall automatically terminate if Anthony D. Heft no longer resides at 89 Chestnut Street; and

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, Acting City Manager John Bilda, be and hereby is authorized and directed to execute a license agreement that is satisfactory to him, but substantially including the terms set out in the foregoing, on behalf of the City of Norwich and to deliver the document to Anthony D. Heft for execution. The original executed license agreement shall be retained by the City of Norwich with a copy provided to Anthony D. Heft and recorded on the land records solely at the option of the City of Norwich.

Alderman H. Tucker Braddock

ORDINANCE #1

AN ORDINANCE APPROPRIATING \$800,000 FOR SELF CONTAINED BREATHING APPARATUS PACKS FOR THE CITY OF NORWICH FIRE DEPARTMENTS 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 purchase of self-contained breathing apparatus (“SCBA”) packs and warranties related thereto for the City of Norwich fire departments and such additional related improvements and equipment as may be accomplished within said appropriation (collectively, “Equipment”), 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 estimated cost of the Equipment is \$800,000. No portion of the Equipment cost is expected to be paid from sources other than the proposed bond issue. The estimated useful life of the Equipment is 10 years. The Equipment 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 tenth (10th) 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. 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, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the City Council. 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, including the bonds and notes and Equipment herein authorized.

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 General Statutes of Connecticut, as amended, 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 General 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 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. 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.

Acting City Manager John Bilda

ORDINANCE #2

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 (10th) 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