



CITY OF NORWICH
CONNECTICUT

AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
September 6, 2016
7:30 PM

PRAYER

PLEDGE OF ALLEGIANCE

ADOPTION OF MINUTES: August 1 & 15, 2016

PROCLAMATION: Jacqueline Owens for her volunteerism with the Norwich Branch of NAACP.

PUBLIC HEARINGS

1. AN ORDINANCE AMENDING SECTIONS OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF NORWICH PERTAINING TO THE VOLUNTEER FIREFIGHTERS' RELIEF FUND PLAN

SECOND READING AND ACTION ON THE PROPOSED ORDINANCES LISTED ABOVE

CITY MANAGER'S REPORT

CITIZENS COMMENT ON RESOLUTIONS

NEW BUSINESS-RESOLUTIONS

1. Relative to amending an agreement regarding preservation restriction's for City Hall.
2. Relative to authorizing City Manager, John Salomone, to enter into and delivering to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which he deems necessary or appropriate.
3. Relative to creating a 60 Sixth Street Committee.
4. Relative to an appointment to the Commission for Persons with Disabilities.
5. Relative to enter into a purchase and sales agreement with Allyn and Associates Relators for several properties.
6. Relative to approval of an addition to the City of Norwich Policy regarding Monuments on City Property.

City Clerk

Betsy Baumgardner

AN ORDINANCE AMENDING SECTIONS OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF NORWICH PERTAINING TO THE VOLUNTEER FIREFIGHTERS' RELIEF FUND PLAN

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH THAT the sections listed below be, and hereby are, amended as set out herein:

- Section 8-72 Definitions – 8-72(a) and 8-72(d)
- Section 8-73 Eligibility for participation – 8-73 and 8-73(b)
- Section 8-74 Service – 8-74(b)(iii)(5)
- Section 8-76 Disability benefits – 8-76(a)
- Section 8-78 Refund of contributions – 8-78(a)

Sec. 8-72. - Definitions.

When used in sections 8-71 through 8-89, the following terms have the meanings set forth below unless a different meaning is plainly required by the text:

(a) Active member. A member of any department who [meets the call and training requirements enumerated in section 8-74] performs fire duties for the benefit of the district responding to at least five percent of his/her department's emergency calls or 35 emergency calls during the plan year; and attends at least five percent of his/her department's training sessions and drills or four hours of training or drills during the plan year.

(d) Break in service. Failure of a volunteer to [earn credited service during a plan year] meet the requirements to be an active member.

Sec. 8-73. - Eligibility for participation in plan.

(b) Declining membership. If an active member declines plan membership when first eligible, such active member forfeits that year of credited service and any other years of credited service until becoming a plan member. The active member may apply for membership as of any subsequent anniversary date, however all benefits pursuant to this plan shall be determined by reference to the credited service earned after becoming a plan member; notwithstanding the limited periods of prior service buybacks listed in 8-74(b)(iii).

Sec. 8-74. - Service.

(b) Buyback of prior service time.

(iii) Limited periods of prior service buybacks:

(5) 90-day period following adoption of Ord. No. 1648 on January 3, 2011. Plan members with 35 years of credited service and who continue to earn credited service as of January 1, [2006] 2011 will be eligible to buy back up to five

additional years of credited service for a maximum of 40 years of credited service at the rate of \$216.00 per year.

Sec. 8-76. - Disability benefits.

(a) Any plan member who is determined to have a disability as described in (b) herein shall commence receiving his/her benefits six months after the date of the determination of the disability. The disability benefits [will] shall be calculated [using] as though the disabled plan member has [both] the maximum years of credited service [and] using the rate applicable in section 8-75(c) as of the date that disability has been determined.

Sec. 8-78. - Refund of contributions.

(a) A plan member whose services with a department have ended for any reason other than death, retirement, or transferring to another department, or who wishes to withdraw from the plan may request a refund of all of his/her contributions to the plan with credited interest. Such request shall be reviewed and approved by [the committee at its next regular meeting] the plan member's department and the comptroller or his/her designee prior to payment.

Mayor Deberey Hinchey

Purpose: To clarify and make amendments to the Volunteer Firefighters' Relief Fund Plan with respect to the sections concerning definitions, purchase of prior service, disability service, and refunds of plan member contributions.

RESOLUTION #1

WHEREAS, the State of Connecticut Department of Economic and Community Development through the State Historic Preservation Office [SHPO] provides grant assistance for the maintenance, protection, preservation, stabilization and adaptive use of buildings significant to the history, architecture, archeology or culture the State of Connecticut, its municipalities or the nation; and

WHEREAS, such assistance requires the recipient to agree to a preservation restriction recorded on the land records to run for a fifteen (15) year term for grant assistance from \$50,001 to \$100,000, and a twenty (20) year term for grant assistance in excess of \$100,000; and

WHEREAS, the City of Norwich City Hall Stair Project involved grant assistance from SHPO in excess of \$100,000 whereupon the City of Norwich and the State of Connecticut entered into an agreement entitled "Easements, Declarations of Covenants and Declaration of Preservation Restrictions," dated January 6, 2014 and recorded February 25, 2014 at volume 2844, page 153 of the Norwich Land Records, which agreement is to run for a term of twenty (20) years; and

WHEREAS, the City of Norwich has been granted a second assistance grant from SHPO in the amount of approximately \$90,000 for the flooring restoration in city hall which will be subject to a fifteen (15) year preservation restriction; and

WHEREAS, SHPO proposes an amendment to the document dated January 6, 2014 and recorded at volume 2844, page 153 to substitute, among other things, the words thirty-five (35) years for the words twenty (20) years reflecting the term of the two preservation restrictions to be applicable to city hall, as more particularly shown on the proposed Amendment to Easements and Declarations attached hereto as Exhibit A; and

WHEREAS, the City of Norwich will be paid the \$90,000 grant following the execution and recording of this amendment.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the City Manager, John Salomone, be and hereby is, authorized and directed on behalf of the City of Norwich to enter into, execute, and deliver to SHPO, the Amendment to Easements and Declarations intended to amend the document recorded at volume 2844, page 153 of the Norwich Land Records as further described in this resolution.

Mayor Deberay Hinchey

EXHIBIT A

AMENDMENT TO EASEMENTS AND DECLARATIONS

THIS AGREEMENT entered into as of the _____ day of _____, 2016 by the City of Norwich CT , New London County, CT and (hereinafter called the Grantor), and the State of Connecticut (hereafter called the Grantee), acting by the State Historic Preservation Office located within and as part of the Department of Economic and Community Development, an agency of the State of Connecticut having an office at One Constitution Plaza, 2nd Floor, Hartford, Connecticut.

WITNESSETH:

WHEREAS, the parties executed a certain document entitled, "EASEMENTS, DECLARATION OF COVENANTS, AND DECLARATION OF PRESERVATION RESTRICTIONS," dated January 6, 2014, and recorded in Volume 2844, Pages 153 of the Norwich, CT Land Records; and

WHEREAS, the parties wish to amend said Preservation restriction;

NOW, THEREFORE, for one (1) Dollar and other valuable considerations and in consideration of the premises the parties hereto agree as follows:

1. Covenant One (1) of said Preservation Restriction is amended by substituting the words thirty-five (35) for the words twenty (20) in the phrase "historical, architectural, archaeological cultural qualities of said site and improvements for a period of twenty (20).."
2. Covenant Fifteen (15) of said Preservation Restriction is amended by substituting the words thirty-five (35) for the words twenty (20) in the phrase "shall terminate twenty (20) from the date of this instrument, but such termination shall not affect rights accrued under this instrument prior to such termination."

3. Exhibit B of said Preservation Restriction is amended by the addition of the following paragraph(s):

Work was performed on the property utilizing funding provided by a Historic Restoration Fund matching grant-in-aid from the State Historic Preservation Office. All work was completed in a manner consistent with the *Secretary of the Interior's Standards for Rehabilitation*, and in accordance with technical plans and specifications approved by the State Historic Preservation Office, which are incorporated herein by reference.

4. Except as herein modified, all other provisions of said Preservation Restriction are hereby confirmed and ratified.

RESOLUTION #2

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 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

RESOLUTION #3

WHEREAS, the City of Norwich has acquired the property at map 86, block 3, page 43 known as 60 Sixth Street, through a tax collector sale; and

WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to appoint a Committee to review the condition of the property, consider whether its size, location and condition will allow it to be developed and to recommend an appropriate disposition or development of the same.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that a committee to be known as the 60 Sixth Street Committee be and hereby is established to review the condition of the property, consider whether its size, location and condition will allow it to be developed, and to report to the Council of the City of Norwich with respect to its findings and recommendations by the Council meeting to be held on the first Monday of October, 2016; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the 60 Sixth Street Committee shall consist of the following individuals:

Stacy Gould
Tucker Braddock
Sofee Noblick
James Quarto
Gary Schnip
Jim Heist

and that the membership of said committee may be increased at any time by the Council.

Alderwoman Stacy Gould

RESOLUTION #4

BE IT RESOLVED that the below named be appointed as a **regular member** of the Commission for Persons with Disabilities with a term to expire on March 16, 2017 or until a successor is appointed:

Janelle Daly (U)

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

RESOLUTION #5

WHEREAS, the Council of the City of Norwich directed the issuance of Request for Proposals No. 13-05 seeking the services of qualified property managers and/or real estate brokers to help maintain and to market various properties acquired by the City of Norwich; and

WHEREAS, Allyn and Associates Realtors d/b/a Allyn and Associates LLC, Hyde Park Landscaping and Robin Keator, acting together, replied to the Request, were selected to provide such services, and have entered into Agreement with Respect to Maintenance and Disposition of Certain Properties Owned or Acquired by the City of Norwich; and

WHEREAS, the City of Norwich has acquired the property at map 94, block 2, lot 71 known as 130 Prospect Street, through a tax collector sale; and

WHEREAS, the City of Norwich has acquired the property at map 86, block 3, lot 42 known as 165 Prospect Street, through a tax foreclosure; and

WHEREAS, the City of Norwich has acquired the property at map 117, block 4, lot 56 known as 270 West Thames Street, through a deed in lieu of foreclosure; and

WHEREAS, the City of Norwich has acquired the property at map 93, block 6, lot 33 known as 88-90 Boswell Avenue, through a tax foreclosure; and

WHEREAS, the City of Norwich has acquired the property at map 93, block 6, lot 18 known as 45 Lake Street, through a deed in lieu of foreclosure; and

WHEREAS, the City of Norwich has acquired the property at map 111, block 1, lot 63 subplot 1 known as 19 Stonington Road, through a tax collector sale; and

WHEREAS, the City of Norwich has acquired the property at map 110, block 2, lot 13 known as 109 Laurel Hill Avenue, through a tax collector sale; and

WHEREAS, the City of Norwich has acquired the property at map 110, block 1, lot 17 known as 16 West Thames Street, through a tax collector sale; and

WHEREAS, the City of Norwich has acquired the property at map 110, block 3, lot 27 known as 48 Hinckley Street, through a tax collector sale; and

WHEREAS, the City of Norwich has acquired the property at map 103, block 2, lot 17 known as 181 Hamilton Avenue, through a tax collector sale; and

WHEREAS, the City of Norwich has acquired the property at map 93, block 7, lot 63 known as 58 Division Street, through a tax collector sale; and

WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to attempt to dispose of said properties by a negotiated sale using the services of Allyn and Associates Realtors.

THEREFORE, BE IT 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 Real Estate Listing Agreement satisfactory to him and the corporation counsel with Allyn and Associates Realtors and to offer to sell 130 Prospect Street; 165 Prospect Street; 270 West Thames Street; 88-90 Boswell Avenue; 45 Lake Street; 19 Stonington Road; 109 Laurel Hill Avenue; 16 West Thames Street; 48 Hinckley Street; 181 Hamilton Avenue and 58 Division Street, at a price recommended by Allyn and Associates Realtors; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, any offer to purchase said properties recommended to the City by Allyn and Associates Realtors be presented to the Council for its consideration and approval prior to the execution of any Purchase and Sales Agreement.

Alderwoman Stacy Gould

RESOLUTION #6

WHEREAS, the Monument Committee was appointed by the Council of the City of Norwich on March 7, 2016 to consider and recommend policies and procedures with respect to the location, placement, maintenance and ownership of monuments, memorials, tablets, plaques and markers placed or to be placed on municipal property, including privately financed and donated items, as well as policies and procedures to be used for reviewing offers to donate such to the city; and

WHEREAS, the Monument Committee on June 20, 2016 communicated to the Council of the City of Norwich its report consisting of; 1) a City of Norwich Policy Regarding Monuments on City Property; and 2) a City of Norwich, Connecticut Information Form to be Completed Regarding a Proposal to Donate a Monument/Memorial to be Placed on City Property; and

WHEREAS, the Monument Committee has supplemented both the Policy and the Application previously submitted to the council by adding the following language:

“Murals-Permit or process for City of Norwich owned buildings only, requests should be followed as described below for monuments, statues and memorials,”

this wording to be added to its Policy recommendation at Section I - Introduction at the end of the first paragraph and at the end of Section II - Description of Donated Art/Monument in the Application.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, it accepts the supplemental language and approves the recommendation of the Monument Committee as the City of Norwich Policy regarding Monuments on city property and approves the proposed City of Norwich, Connecticut Information Form to be Completed Regarding a Proposal to Donate a Monument/Memorial to be Placed on City Property as presented to it by the Monument Committee.

Alderman H. Tucker Braddock
Alderman Stacy Gould
Alderman William Nash