

The regular meeting of the Council of the City of Norwich was held January 22, 2019, at 7:35 PM in Council Chambers. Present: Mayor Nystrom, Ald. Nash, Gould, Philbrick, DeLucia, Burnham and Browning. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

President Pro Tem Nash, read the opening prayer and Ald. Burnham led the members in the Pledge of Allegiance.

Mayor Nystrom called for citizen comment.

Martin Rutchik, Mystic, talked about the role the City Council has regarding Norwich Public Utilities and CMEEC issues and asked to set standards.

John Waggner, President Norwich Veterans Council, spoke in support of making repairs to the "World War I Taftville Memorial Park".

Bill Champagne, 7 NW Corner Rd, Preston, President Norwich Historical Society, gave updates on the activities of the Norwich Historical Committee and talked about its heritage. He also applauded the upcoming work shop with Jim O'Shea and the economic bond issue.

Tim Smith, 43 Beech St, talked about the Code of Ordinance, Chapter 14, Sec 14-6 and 14-6(c) the risk exposures of "No Pets Allowed" especially in Mohegan Park.

David Crabb, 47 Prospect St, talked about the opioid crisis, the increase of unemployment benefits and Norwich Public Utilities fines regarding gas meters no access policy.

Ryan Thompson, Director of Public Works, stated the City will work with the Veterans regarding Taftville Memorial Park.

Greg Grippo, 209 Boswell Ave, stated he is in support of Dale Plummer as the City Historian.

Mayor Nystrom declared citizen comment closed.

Point of Personal Privilege by President Pro Tem Nash stating that food pantry will be collected for the Coast Guard Academy families (due to the Federal shutdown) at the following locations; Norwichtown Shell Mart, Billy Wilsons, Epicure Brewing, These Guys Brewing Company, Royal Punjabi, the Coast Guard Academy and the City Manager's Office.

Mayor Nystrom called for a Public Hearing on AN ORDINANCE AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL MEMBER TO THE BOARD OF ASSESSMENT APPEALS PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 9-199(c)

Speaking in favor:

There were no speakers.

Speaking in opposition:

There were no speakers.

There being no further speakers Mayor Nystrom declared the public hearing closed.

Mayor Nystrom called for the second reading and action on AN ORDINANCE AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL MEMBER TO THE BOARD OF ASSESSMENT APPEALS PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 9-199(c)

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, it was unanimously voted to waive the reading of the full text and incorporate it into the minutes this ordinance being given its second reading.

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, to adopt the ordinance below introduced by Mayor Nystrom.

**AN ORDINANCE AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL MEMBER TO THE BOARD OF ASSESSMENT APPEALS PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 9-199(c)**

**WHEREAS**, Connecticut General Statutes § 9-199(c) permits a municipality the provisions of subsection (a) of Connecticut General Statute § 9-199 or of any special act, municipal charter or home rule ordinance notwithstanding, to, by ordinance, authorize its legislative body to appoint additional members to the Board of Assessment Appeals for any assessment year;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH THAT** an additional member be appointed to the Board of Assessment Appeals for the assessment year commencing October 1, 2018 to be compensated for services at the same rate as that paid to other members of the Board of Assessment Appeals; said appointments of a qualified individual to be made by resolution after the adoption of this ordinance.

**Purpose:** (To authorize the appointment of an additional member to the Board of Assessment Appeals to assist in hearing appeals in the current assessment year)

On a roll call vote of 7-0 motion passes.

**Please be advised that meetings of the Norwich City Council can be viewed in their entirety on the City of Norwich website “norwichct.org”.**

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, it was unanimously voted to accept the letter of resignation of Victor Harley from the Commission of Persons with Disabilities and thanking him for his service.

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, it was unanimously voted to accept the communication from the 347 Central Avenue Committee of Sale.

### City Manager Report:

**To:** Mayor Nystrom and members of the City Council  
**From:** John Salomone, City Manager  
**Subject:** City Manager's Report  
**Date:** January 22, 2019

The purchase orders have been issued for the 5 fire trucks for the City's Volunteer Fire Departments. The amount is within the 3.2 million bond approved by voters in 2017.

I announced the appointment of veteran Firefighter Tracy Montoya as the City's new Fire Chief after a detailed and extensive process. Tracy's Swearing-In Ceremony will be held on Thursday, January 31, 2019 in Council Chambers with a reception immediately following in Room 335. Chief Montoya is a 27 year veteran of the department and was the top candidate out of 19 applicants. I am looking forward to working with him in his new capacity as Fire Chief.

I attended the Board of Directors meeting at Connecticut Conference of Municipalities (CCM), and the monthly Southeastern CT Council of Governments and SEAT meetings. I also had the pleasure of attending the 34th Anniversary Reverend Dr. Martin Luther King, Jr. Birthday Celebration Luncheon that was held at Norwich Free Academy.

The Human Resources Department has scheduled mandatory *Reasonable Suspicion Training* sessions for employees in a supervisory capacity. Four sessions have been scheduled for the last week of January. Norwich Youth & Family Services was awarded a \$7,000 grant through Norwich Public Schools Extended School Hours Funding. They will partner with the Norwich Police Department for the second year to create opportunities for students to build positive relationships with the Police and the community. The full press release is posted on the City's website.

The Norwich Police Department has issued a community survey with the help of the National Police Foundation and the National Law Enforcement Applied Research & Data Platform. The survey is intended for all Norwich community members and will help provide the Norwich Police Department with important data related to community engagement. All responses are kept confidential and it will be on the website until April 13, 2019.

The School Facilities Committee survey is also on the City's website. They are still looking for input from the community on the priorities for the future educational facilities in the City. The survey is also on the Board of Education's website.

The City's Lock Box tax payments as of Friday, January 18th were 840 payments totaling \$1,107,410.87. Payments at Norwich People's Bank branches were 160 payments totaling \$215,627.11. This produces shorter lines at the Tax Office and allows the City to invest the money more quickly.

I have attached the [Department Head Reports](#) with the addition of a report from Norwich Community Development Corporation (NCDC) for quarter ending December 31, 2018.

Mayor Nystrom called for citizen comment on resolutions.

David Crabb, 47 Prospect St, spoke on Resolutions 3, 4 and 6 asking why the Council is increasing the City portfolio.

Mayor Nystrom declared citizen comment on resolutions closed.

Upon a motion of Ald. Gould, seconded by President Pro Tem Nash it was unanimously voted to adopt the following resolution introduced by Ald. Gould, Philbrick and DeLucia.

**BE IT RESOLVED** that the following be appointed a **temporary member** to the Board of Assessment Appeals for a term to expire on September 30, 2019 or until a successor is appointed;

Larry Rice (R)

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould it was unanimously voted to adopt the following resolution introduced by Ald. Gould, Philbrick and DeLucia.

**WHEREAS**, the term of the City Historian expired on August 20, 2018 and the current City Historian, Dale Plummer wishes to be re-appointed to another three year term; and

**WHEREAS**, City Manager John L. Salomone has re-appointed Dale Plummer (R) as City Historian for a term to expire May 31, 2021.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Norwich hereby approves the re-appointment of the above named as City Historian.

Upon a motion of Ald. Gould, seconded by President Pro Tem Nash it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom and Ald. Gould.

**WHEREAS**, the City of Norwich acquired the property at 347 Central Avenue (Map 87, Block 1, Lot 67), by a Committee of Sale Deed recorded September 29, 2016 at volume 2981, page 290 of the Norwich Land Records; and

**WHEREAS**, the Council of the City of Norwich, by resolution adopted November 20, 2017 established the "347 Central Avenue Committee of Sale" to review the condition of the property and make recommendation to the Council as to the disposing of the property, which Committee subsequently recommended that the city convey the property to a Preferred Developer pursuant to a Development Agreement to be approved by the Council; and

**WHEREAS**, said Committee issued a Request for Proposals to seek a developer who would invest sufficient funds and efforts to restore the existing structure to an acceptable and usable condition within a reasonable time, and was instructed to recommend the developer it selected to the Council for its consideration; and

**WHEREAS**, the Committee recommended Lauren Kang Properties, LLC or its nominee as Preferred Developer which recommendation the Council accepted directing said Committee to submit a proposed Development Agreement to the Council for its consideration and possible approval; and

**WHEREAS**, by resolution adopted June 18, 2018 the Council authorized and directed City Manager John Salomone to execute a Development Agreement on behalf of the City of Norwich with Lauren Kang Properties, LLC or its nominee and also requested said Committee continue to act for the city by periodically reviewing the renovations and report to the Council regarding the same as necessary; and

**WHEREAS**, the Development Agreement dated July 25, 2018 provides that the Work required by the Development Agreement is Complete upon the issuance of a Certificate of Building Code Compliance by the building official to the Developer; and

**WHEREAS**, the 347 Central Avenue Committee of Sale has reported to the Council that the Work has been satisfactorily finished and, in its opinion, the property may be conveyed to Lauren Kang Properties, LLC.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that City Manager John Salomone be and hereby is authorized and directed to execute a deed of conveyance satisfactory to him from the City of Norwich to Lauren Kang Properties, LLC conveying the property at 347 Central Avenue to it upon receipt of a copy of a Certificate of Building Code Compliance issued by the building official for the property at 347 Central Avenue, to enter into, execute, accept, and deliver such other documents as may be necessary to effectuate the transaction, and, upon satisfactory completion of all the requirements of this resolution, to deliver said deed of conveyance to Lauren Kang Properties, LLC; and

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that a surety bond in the amount of FIVE THOUSAND and 00/100 Dollars (\$5,000) required pursuant to said Development Agreement be released as to Lauren Kang Properties, LLC upon the recording of the deed of conveyance.

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom and President Pro Tem Nash.

**WHEREAS**, John P. Maloney purchased a parcel of land located on Vine Street identified as Map 85, Block 2, Lot 37 from the City of Norwich for \$15,000 at an auction conducted on October 21, 2004; and

**WHEREAS**, John P. Maloney purchased a parcel of land known as 28 Cedar Street identified as Map 102, Block 1, Lot 14 for \$700 from the City of Norwich at an auction conducted on August 28, 2003; and

**WHEREAS**, John P. Maloney has offered to re-convey these properties to the City of Norwich, as a gift, the legal description for the land to be re-conveyed at Vine Street and the land to be re-conveyed at 28 Cedar being attached hereto as Schedules A and B, respectively; and

**WHEREAS**, the taxes due on said properties have been paid through the end of December 2018; and

WHEREAS, the Council of the City of Norwich has determined that the parcel at Vine Street may be of use to the City of Norwich and that neither property requires immediate attention on the part of the City of Norwich.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that City Manager John Salomone, be and hereby is authorized and directed to accept and record a deed or deeds satisfactory to him conveying said parcels of land from John P. Maloney to the City of Norwich and to enter into and execute on behalf of the City of Norwich such documents as are necessary to complete the conveyance.

### Schedule A

A certain tract or parcel of land situated in the Town of Norwich, County of New London and State of Connecticut bounded and described as follows:

Beginning at an iron pipe on the easterly side of (so called) Vine Street, being the southwest corner of the herein described lot,

Thence along easterly side of (so called) Vine Street N 13°-14'-11" E, 175.01' to an iron pipe to be set.

Thence S 76°-11'-26" E, 106.01' along other lands of said DiBattista to an iron pipe to be set.

Thence S 13°-48'-36" W, 175.00' along other lands of said DiBattista to an iron pipe to be set.

Thence N 76°-11'-24" W, 104.26' along a right of way to point of beginning.

Said lot contains 18,398 sq.ft. or .4223 AC±

Said lot is part of a parcel more particularly described on a map entitled, "Plan Showing Property of Mark A. & Diane M. DiBattista, Baltic Street, Norwich, CT, Surveyed by Ronald R. Cusano, LLS#11811, Scale 1"=20', Dated March 1989".

Said Lot can be more particularly described on map entitled "Plan showing proposed lot split prepared for Mark A. & Diane M. DiBattista, Baltic Street, Norwich, Connecticut, Prepared by Camp Land Surveyors, P.C., Norwich, Connecticut, Scale 1"=20', Date 9/12/89, Job #89-085, Sheet 1 of 1.

Together with certain rights in common with others in and to Vine Street, as referred to in a deed recorded in Norwich Land Records, Book 210, at Page 463.

Beginning at the South easterly corner of the premises by the road leading Northerly by the jail. thence North 11° East two rods abutting East on said Road, to land of Charles Johnson, Thence North 70° West five rods & seventeen links, abutting northerly on said Johnson's land — Thence South 11° West, two rods, abutting west on said Kinney's land — Thence South 70° East as the wall now stands, five rods & seventeen links abutting southerly on land Owned by New London County — Containing Eleven & 1/4 rods be the same more or less, and is the same lot this day deeded to me by said Newcomb Kinney — To have and to hold the above granted and bargained premises, with the appurtenances there of, unto him the said Newcomb Kinney his heirs and assigns forever, to his and their own proper use and behoof. And also, I the said

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom and President Pro Tem Nash.

**WHEREAS**, Westledge Apartments, LLC acquired the property identified as 2 Westledge Drive from the Peach Tree Limited Partnership by a deed recorded August 8, 2018 at volume 3082, page 266 of the Norwich Land Records; and

**WHEREAS**, the deed of conveyance to Westledge Apartments, LLC describes the premises as consisting of two parcels identified as Parcel A and Parcel B; and

**WHEREAS**, the land described as Parcel A was previously developed as an apartment complex which became known as the Peachtree Apartments; and

**WHEREAS**, the site plan for the development of apartments on the property approved by the Commission on the City Plan in approximately 1970 called for the construction of a street to be known as Westledge Drive which separated Parcel A and Parcel B and the conveyance of Parcel B to the City of Norwich to, among other things, support the drainage in the area; and

**WHEREAS**, on October 4, 2017 the Council of the City of Norwich received the report of the Commission on the City Plan dated September 14, 1971 and the report the Director of Public Works dated September 29, 1971 both recommending the acceptance of Westledge Drive as a public street, with the Council then accepting Westledge Drive as a public street by resolution; and

**WHEREAS**, said Parcel B has not yet been conveyed to the City of Norwich and Westledge Apartments LLC has offered to convey the same as further described in "Parcel B" Metes and Bounds, attached hereto as Exhibit A; and

**WHEREAS**, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to accept this offer and complete the conveyance,

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that City Manager John Salomone be and hereby is authorized and directed to accept and cause to be recorded a deed satisfactory to him conveying Parcel B as described in the Exhibit A attached to this resolution to the City of Norwich, subject to the approval of the Director of Public Works to the legal description contained therein, and the Corporation Counsel as to the form and legality of the deed, and to enter into, execute, receive, and deliver such other documents as are necessary to effectuate this transaction.

#### "PARCEL B" METES AND BOUNDS

A certain piece or parcel of land situated in the City of Norwich, County of New London and State of Connecticut containing 1.100 acres and being depicted as "PARCEL B" on a map entitled "ALTA/ACSM LAND TITLE SURVEY/PROPERTY SURVEY LAND NOW OR FORMERLY OF THE PEACHTREE LIMITED PARTNERSHIP 2 WESTLEDGE DRIVE NORWICH, CONNECTICUT", dated February 4, 2003, revised through 7/28/10, scale: 1" = 50', prepared by Bennett & Smilas Engineering, Inc., more particularly bounded and described as follows:

Beginning at a point on the southerly street line of Woodside Avenue said point being the southwesterly corner of land now or formerly of the Town of Norwich and The City of Norwich and the northwesterly corner of the herein described parcel;

Thence along land now or formerly of the Town of Norwich and The City of Norwich the following two (2) courses:

- S 44°32'14" E a distance of 193.68' to a point;
- S 44°02'34" E a distance of 145.22' to a point;

Thence along land now or formerly of Elizabeth S. Allen & William J. Allen, Jr. S 67°18'35" W a distance of 72.75' to a point;

Thence along said Allen land and land now or formerly of Joseph Amodeo and Nicoletta Amodeo, in part by each, S 70°34'00" W a distance of 159.40' to a point;

Thence along other land of said Amodeo S 27°52'52" W a distance of 132.13' to a point;

Thence along land now or formerly of Matteo J. Scalaro, Jr. and Prudence Scalaro, Trustees S 28°49' 15" W a distance of 150.00' to a point;

Thence along said Scalaro land and land now or formerly of The City of Norwich, in part by each, S 29°48'03" W a distance of 223.58' to a point;

Thence along land now or formerly of Beit Shemesh, LLC N 50°04'43" W a distance of 27.56' to a point on the southeasterly right of way line of Westledge Drive;

Thence along Westledge Drive the following seven (7) courses:

- Northerly along a curve to the left having a radius of 213.42' and an arc length of 121.22';
- Thence northerly along a curve to the right having a radius of 144.07' and an arc length of 71.70' to a point;
- Thence N 36°26' 10" E a distance of 314.70' to a point;
- Thence northerly along a curve to the left having a radius of 174.06' and an arc length of 200.82' to a point;
- Thence N 29°40'11" W a distance of 87.19' to a point;
- Thence northerly along a curve to the right having a radius of 75.25' and an arc length of 47.76' to a point;
- Thence northerly along a curve to the right having a radius of 15.00' and an arc length of 33.71' to the point and place of beginning.

Said parcel being together with the right, easement and privilege to install, lay, construct, locate, operate, maintain, repair, replace, renew, alter, re-alter, remove and relocate ditches, pipes, tile drains on, under or across that certain piece or parcel of land described as the second piece in a Warranty Deed from Ingham Hill Corporation to George J. Achenbach, dated June 26, 1970 and recorded at Volume 359, Page 336 on the land records for the Town and City of Norwich.

Said parcel also being together with the right, easement and privilege to install, lay, construct, locate, operate, maintain, repair, replace, renew, alter, re-alter, remove and relocate lines of water pipes and lines of sewage collection pipes, with the appurtenances thereto, on, under or across a strip of land 20 feet wide and approximately 263.62 feet long (267 feet surveyed), said strip of land being depicted and designated as "20' Utility Easement" and being the northwestern most 20 feet of that certain piece or parcel of land described in a Warranty Deed from Paul A. and Doris E. Gray to George J. Achenbach, dated March 25, 1970 and recorded at Volume 358, Page 109 on the land records for the Town and City of Norwich.

Upon a motion of Ald. Gould, seconded by President Pro Tem Nash it was voted to put the following resolution introduced by Ald. Gould on the floor.

Motion of Ald. Browning, seconded by Ald. Burnham to amend to replace paragraph #4 with the following (bold is the new language); "WHEREAS, the Council of the City of Norwich previously approved a ~~bond ordinance~~ **Bond Ordinance #1600 on September 15, 2008** for the demolition of city-owned structures, and the council finds that ~~they are~~ **there is \$61,362.16 remaining in this appropriation, which is** sufficient funds ~~available through this bond ordinance~~ to pay for the cost of demolishing the structure at 11 Lake Street and further finds it to be in the best interest of the City of Norwich to demolish the structure, "

On a vote of 4-3 with President Pro Tem Nash, Ald. Gould and Philbrick voting in opposition motion to amend passes.

**WHEREAS**, the City of Norwich became the owner of the property identified as 11 Lake Street, consisting of a certain tract of land with a dwelling house situated thereon, by a Certificate of Foreclosure dated April 26, 2017 and recorded April 27, 2017 at volume 3011, page 90 of the Norwich Land Records; and

**WHEREAS**, the structure is in poor repair and the bounds of the parcel are set out in the legal description attached hereto as Schedule A; and

**WHEREAS**, said property shares a common border of 62' 4" with Lake Street Playground; and

**WHEREAS**, the Council of the City of Norwich previously approved Bond Ordinance #1600 on September 15, 2008 for the demolition of city-owned structures, and the council finds that there is \$61,362.16 remaining in this appropriation, which is sufficient funds to pay for the cost of demolishing the structure at 11 Lake Street and further finds it to be in the best interest of the City of Norwich to demolish the structure,

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that City Manager John Salomone be and hereby is authorized and directed, with such assistance as he may require, to issue a Request for Proposals or a Request for Qualifications seeking interested contractors to demolish the structure on 11 Lake Street and clear the site, and to recommend the lowest qualified bidder to the council by subsequent resolution, said resolution including information as to the anticipated cost of the work funds available for the work through the bond issue, and the funds that are anticipated to remain available through the bond issue after payment for this work.

**A certain tract of land with a dwelling house thereon, situated on the easterly side of Lake Street in the Town of Norwich, County of New London and State of Connecticut, bounded and described as follows:**

**Beginning at a point indicated by a spike on the Easterly line of said Lake Street at the dividing line between this tract and the land now or formerly of Laurence Healey, and running thence Northerly along the Easterly line of said Lake Street 36 feet 9 inches, more or less, to another spike at the dividing line between this tract and land now or formerly of the City of Norwich; thence Easterly, bounding Northerly on said City land about 62 feet 4 inches to land now or formerly of said Laurence Healey; thence Southerly, abutting Easterly on said Healey land about 35 feet 8 inches to a drill hole and thence Westerly in a straight line bounding Southerly on other land of said Healey about 78 feet 2 inches to said point of beginning.**

The amended motion as stated above passes 7-0.

Upon motion of Ald. Gould, seconded by President Pro Tem Nash, it was unanimously voted to adjourn at 8:25 P.M.

  
City Clerk