

The regular meeting of the Council of the City of Norwich was held September 4, 2018, at 7:30 PM in Council Chambers. Present: Mayor Nystrom, Ald. Nash, Gould, DeLucia, Burnham and Browning. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Ald. Philbrick had an excused absence. Mayor Nystrom presided.

Ald. Gould read the opening prayer and Ald. Burnham led the members in the Pledge of Allegiance.

Mayor Nystrom called for a moment of silence for the passing of Rita Frechette former Director of Norwich Civil Defense.

Upon a motion of Ald. Gould, seconded by President Pro Tem Nash, it was unanimously voted to adopt the minutes of August 6 and 20, 2018.

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

Mayor Nystrom called for a Public Hearing on AN ORDINANCE PROVIDING AN EXEMPTION FROM PROPERTY TAX FOR GOLD STAR PARENTS AND SPOUSES PURSUANT TO THE PROVISIONS OF PUBLIC ACT NO. 17-65.

Mayor Nystrom called for those speaking in favor:

Jan Sawicki, 39 Andrea Ln, spoke in favor of this ordinance.

Ryan Thompson, 81 Sturtevant St, spoke in favor of this ordinance.

Mayor Nystrom called for those speaking in opposition:

No one spoke.

Mayor Nystrom declared public hearing closed.

Upon a motion of Ald. DeLucia, seconded by Ald. Burnham, 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.

Motion of Ald. DeLucia, seconded by Ald. Gould, it was unanimously voted to amend the following ordinance to remove in paragraph one “~~from property tax~~” and add “to be applied to the assessed value of property” ordinance introduced by Mayor Nystrom, President Pro Tem Nash and Ald. Gould. Ald. DeLucia motioned seconded, by Ald. Gould to postpone this ordinance until September 17, 2018 at 7:30 pm for second reading and action.

AN ORDINANCE PROVIDING AN EXEMPTION FROM PROPERTY TAX FOR GOLD STAR PARENTS AND SPOUSES PURSUANT TO THE PROVISIONS OF PUBLIC ACT NO. 17-65.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that Ordinance 7-27a as set forth hereinafter be and hereby is adopted:

Sec. 1.

Pursuant to the provisions of Connecticut Public Act No. 17-65, any parent whose child was killed in action, or the surviving spouse of any person who was killed in action, while performing active military duty with the armed forces, as defined in subsection (a) of section 27-103 of the General Statutes, which parent or surviving spouse is a resident of the City of Norwich, shall be entitled to an exemption ~~from property tax~~ "to be applied to the assessed value of property" in an amount up to \$10,000 effective as of the assessment year commencing October 1, 2018, or in an amount up to ten (10%) percent of the assessed value, whichever is the lesser, provided the qualifying income of such surviving parent or spouse does not exceed the maximum amount applicable to an unmarried person as provided in section 12-81l of the General Statutes.

Sec. 2

- (a) If both parents of any such child killed in action while performing active military duty with the armed forces are domiciled together, only one such parent shall be entitled to an exemption from the property tax provided for under this section.
- (b) The exemption provided for under this section shall be in addition to any exemption to which an eligible parent or surviving spouse may be entitled under section 12-81 of the General Statutes. No such eligible parent or surviving spouse entitled exemption under sections 12-81f or 12-81g of the General Statutes in this section shall receive more than one exemption.

Sec. 3

- (a) Any parent whose child was killed in action, or the surviving spouse of a person who was killed in action, while performing active military duty with the armed forces and who claims an exemption from taxation under this section shall give notice to the town clerk of Norwich that he or she is entitled to such exemption.
- (b) Any such parent or surviving spouse submitting a claim for such exemption shall be required to file an application, on a form prepared for such purpose by the assessor, not later than the assessment date with

respect to which such exemption is claimed, which application shall include at least two (2) affidavits of disinterested persons showing that the deceased child or person was performing such active military duty, that such deceased child or person was killed in action while performing such active military duty and the relationship of such deceased child of such parent, or such deceased person to such surviving spouse, providing the assessor may require such parent or surviving spouse to be examined by the assessor under oath concerning such facts. Each such application shall include a copy of such parents or surviving spouses federal income tax return, or in the event such a return is not filed such evidence relating to income as may be required by the assessor, for the tax year of such parent or surviving spouse ending immediately prior to the assessment date with respect to which such exemption is claimed.

Sec. 4

The ordinance shall be listed as Ordinance 7-27a in the Code of Ordinances and take effect ten (10) days after passage and publication.

Upon a motion of Ald. Gould, seconded by Ald. Browning it was unanimously voted to accept the resignation letter of Louise Leake from the Norwich Historic District Commission and thanking her for her service.

City Manager Report:

To: Mayor Nystrom and members of the City Council
From: John Salomone, City Manager
Subject: City Manager's Report
Date: September 4, 2018

I received an update from Christine Rogers, Sr. Development Manager from the Women's Institute regarding the Reid & Hughes building. She stated that the stabilization phase has been completed slightly ahead of schedule and thanked the City of Norwich and others involved with the project. She also stated they have applied for a \$500,000 grant and are working in earnest on predevelopment for the next phase of the project to create the 20 residential units and ground floor commercial space in downtown Norwich.

The RFP has been posted on the City's website with the specifications for the five new firetrucks for the City's volunteer fire departments. The trucks will be purchased from the 3.2 million bond that was approved by voters in November 2017 to purchase the trucks and radio equipment. The five new trucks will be replacing 6 vehicles to be removed from service.

The second Narcan training session was held at City Hall on August 23rd. A total of 16 people attended the session bringing the total to 30 individuals who have the ability to administer Narcan in the event

of an accidental overdose. Additional training sessions for Norwich organizations can be requested through the Norwich Youth and Family Services Department.

Otis Library held a Digital Bookmobile at Brown Park on Tuesday August 28th. Several families were in attendance to view the high-tech bookmobile that tours North America as a community outreach vehicle for public libraries and schools to promote their digital catalog of eBooks, audio books and streaming video to their communities.

Norwich Fire Department Headquarters held a retirement ceremony and reception on Friday, August 31st for Chief Scandariato. More than 100 people including local dignitaries attended the event to congratulate him on this upcoming retirement. The Mayor presented him with a proclamation from the City and thanked him for his 13 years of service to the City. Congratulations and enjoy your retirement.

Numerous annual events take place in September in Norwich. The 43rd Annual Greek Food Festival will be held at Holy Trinity Greek Orthodox Church from September 6th to 9th, the 27th Annual Taste of Italy will be held on Saturday, September 8th at Brown Park, the 15th Annual Norwich Family Day takes place on Sunday, September 16th at Mohegan Park along with the Harry "O" Fun Run and Celebrate Cultural Diversity will be held for the 6th year on September 17th at Brown Park. I invite you all to mark your calendars for these upcoming events.

Mayor Nystrom called for citizen comment on resolutions.

Shiela Hayes, 382 Laurel Hill Ave, asked on Resolution #1 what happens if the banks sells the property.

Mayor Nystrom declared citizen comment on resolutions closed.

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

WHEREAS, visitors to the Colonial Burial Grounds in Norwichtown have from time to time parked in the parking lot of the bank branch located at 71 Town Street while said branch was under the control of the Connecticut Bank & Trust Company, then of the Fleet National Bank, and then of the Bank of America; and

WHEREAS, in November of 2003 the City of Norwich and the Fleet National Bank entered into a License Agreement regarding such parking whereby the city agreed to maintain the path between the bank parking lot and Old Cemetery Lane, to indemnify and defend the bank from any claims made against it resulting from this use of the parking lot, and to maintain insurance naming the bank as an additional insured; and

WHEREAS, this License Agreement has been extended through various amendments to run through November 30, 2018; and

WHEREAS, the Bank of America, National Association, has agreed to a Fourth Amendment to the License Agreement to run through November 30, 2021, a copy of this proposed Fourth Amendment to the License Agreement being 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 enter into this Fourth Amendment to the License Agreement

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 on behalf of the City of Norwich to enter into, execute, and deliver this Fourth Amendment to the License Agreement between the Bank of America, National Association and the City of Norwich together with such other documents and communications as are necessary to effectuate the same.

Exhibit A

**FOURTH AMENDMENT
TO LICENSE AGREEMENT**

The parties to this Fourth Amendment to License Agreement (“Fourth Amendment”) are **Bank of America, National Association**, a national banking association, successor in interest to Fleet National Bank, (“Licensor”), and **City of Norwich**, a municipal corporation specially chartered by the General Assembly of the State of Connecticut and having its territorial limits within the State of Connecticut (“Licensee”), who, for good and valuable consideration the receipt and adequacy of which are hereby acknowledged, agree as follows:

1. **Background.** This Fourth Amendment pertains to the License Agreement between Licensor and Licensee, dated November 17, 2003 as amended by the Amendment to License Agreement dated October 17, 2008, by Second Amendment to License Agreement dated January 7, 2014, and by Third Amendment to License Agreement executed January 15, 2016 (together, the “License”), for license of the Premises therein described for the use of the parking lot and path located at 71 Town Street, Norwich, CT 06360. Capitalized terms used and not otherwise defined herein have the meanings given them in the License.

2. **License Term.** By execution of this Fourth Amendment, the term of the License hereby is extended for an additional term (“Additional Term”), ending **November 30, 2021**, unless sooner terminated as provided in the License. Notwithstanding any provisions contained herein to the contrary, either party may terminate this License at any time, without cause, during the Term upon at least **forty-five (45) days** prior written notice to the other party.

3. **AS-IS.** Licensee accepts the Premises in its AS-IS, WHERE IS condition. Licensor shall not be required to perform any improvements or other work or provide Licensee with any allowance or inducement with respect to the License. Licensee, at Licensee’s sole cost and expense, shall comply with all laws, ordinances, orders, rules and regulations of state, federal, municipal or other agencies or bodies having jurisdiction over the use or condition of Licensee’s improvements (including the Americans With Disabilities Act of 1990, as amended). Licensee will comply with any reasonable rules and regulations for the parking lot adopted by Licensor.

4. **Insurance.** Simultaneously with the execution of this Fourth Amendment, Licensee shall provide Licensor with a certificate of insurance as required under the License.

5. **Brokers.** Each party hereto represents that it has not dealt with any other real estate broker or agent in connection with the negotiation of this Fourth Amendment other than CBRE, Inc. Each party shall hold the other harmless from all damages resulting from any claims that may be asserted against the other party by any broker, finder, or other person or entity with whom the indemnifying party has dealt.

6. **Addresses.** Notice addresses under the License pursuant to Paragraph 5 of the License are hereby amended as follows:

Licensor:

Bank of America, National Association
 NC2-150-03-06 (CT2-122)
 13850 Ballantyne Corporate Place
 Charlotte, NC 28277

Attn: 3P Lease Administration (CT2-122)

With copies to:

Bank of America, National Association
Two Smith St (MA6-152-02-01)
Wakefield, MA 01880
Attention: Joan Arria, Vice President (CT2-122)

Licensee:

City of Norwich
100 Broadway
City Hall, Room 219
Norwich, CT 06360-4431
Attn: City Manager

7. Miscellaneous. Licensee and the person(s) signing this Fourth Amendment on Licensee's behalf represent and warrant to Licensors that Licensee has full right and authority to execute and perform its obligations under the License as amended by this Fourth Amendment, and that such person(s) are, duly authorized to execute this Fourth Amendment on Licensee's behalf without further consent or approval by anyone. Licensee shall deliver to Licensors promptly upon request all documents reasonably requested by Licensors to evidence such authority. This Fourth Amendment is the entire agreement of the parties regarding modifications of the License provided herein, supersedes all prior agreements and understandings regarding such subject matter, may be modified only by a writing executed by the party against whom the modification is sought to be enforced, and shall bind and benefit the parties and their respective heirs, legal representatives, successors and assigns. The License is ratified and confirmed in full force and effect in accordance with its terms, as amended hereby.

8. OFAC. Licensee represents that neither Licensee nor, to the knowledge of Licensee, any director, officer, employee, agent, affiliate or representative of Licensee is an individual or entity ("Person") currently the subject of any sanctions administered or enforced by the United States Department of Treasury's Office of Foreign Assets Control ("OFAC"), or other relevant sanctions authority (collectively, "Sanctions"), nor is Licensee located, organized or resident in a country or territory that is the subject of Sanctions; and Licensee represents and covenants that it has not knowingly engaged in, is not now knowingly engaged in, and shall not engage in, any dealings or transactions with any Person, or in any country or territory, that is the subject of Sanctions.

9. Digital Images. The parties agree to accept a digital image of the License, and any amendments thereto, as executed, as a true and correct original and admissible as best evidence for the purposes of State law, Federal Rule of Evidence 1002, and the like statutes and regulations. Execution and delivery of this Amendment by portable document format ("PDF") copy bearing the PDF signature of any party hereto shall constitute a valid and binding execution and delivery of this Amendment by such party. Such PDF copies shall constitute enforceable original documents.

EXECUTED AND DATED as of July _____, 2018.

LICENSEE:

City of Norwich

By: _____
Name: _____
Title: _____
Date: _____

LICENSOR:

Bank of America, National Association,
a national banking association

By: _____
Name: Joan Arria
Title: Vice President
Date: _____

Mayor Nystrom as sponsor withdrew the following resolution.

WHEREAS, the Council of the City of Norwich, by resolution adopted September 5, 2017, accepted the offer of the Norwich Creates Collaborative to organize a Poet Laureate Selection Committee consisting of five members, one each appointed by the Norwich Creates Collaborative, the Otis Library, the Three Rivers Community College, the Norwich Public Schools, and the Norwich Free Academy, said Committee to select and recommend a candidate or candidates to the Council of the City of Norwich to be the honorary Poet Laureate of the City of Norwich; and

WHEREAS, after thoughtful consideration the Norwich Poet Laureate Selection Committee has selected and recommended Chantaal M. Goodwater to be the first honorary Poet Laureate for the City of Norwich; and

WHEREAS, the Council of the City of Norwich extends its thanks to the Norwich Poet Laureate Selection Committee for its efforts and recommendation; and

WHEREAS, the Council of the City of Norwich finds that the appointment of Chantaal M. Goodwater as honorary Poet Laureate of the City of Norwich will be supportive of the creative arts and in the interest of the City of Norwich

NOW THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, that Chantaal M. Goodwater be and hereby is appointed to the honorary position of "Poet Laureate" of the City of Norwich, for a term of two years, to serve in this honorary position without compensation but with the recognition, appreciation, and esteem of the Council of the City of Norwich, the residents of the City of Norwich, and all those who will derive benefit from her talents.

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

WHEREAS, the City of Norwich has received a Notice of Grant Award from the State of Connecticut Office of Policy and Management Criminal Justice Policy and Planning Division advising that the City of Norwich has been selected to receive a grant of \$6,588 to support the Juvenile Review Board Grant Program, OPM Grant No.: 15JJ_JRB_104 made under the Federal Juvenile Justice and Delinquency Prevention Act, as amended; and

WHEREAS, the funds come through a federal award with no required local match, the funding to start on September 1, 2018 or after Notice of Grant Award is signed by both parties (whichever is later); and

WHEREAS, the Notice of Grant Award has identified John Salomone as the authorized grantee official to sign the Notice

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 sign the Notice of Grant Award on behalf of the City of Norwich and to return the same to the Office of Policy and Management of the State of Connecticut; 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 to review the Assurances and Certification forms to be submitted with the Notice of Grant Award and, provided he finds the city is in compliance with the same, to sign such on behalf of the City of Norwich as the authorized signing official and to return the same to the Office of Policy and Management of the State of Connecticut.

Upon motion of Ald. Gould, seconded by Ald. Browning, it was unanimously voted to adjourn at 7:55 P.M.


City Clerk