

A regular meeting of the Council of the City of Norwich was held Monday, May 19, 2008, at 7:00 PM in Council Chambers. Present: Aldermen Nash, Desaulniers, Coutu, Zarnetske, Bettencourt, Jacaruso and Mayor Lathrop. City Manager Bergren and Corporation Counsel Driscoll were also in attendance. Mayor Lathrop presided.

Upon motion of Ald. Bettencourt, seconded by Ald. Jacaruso, it was unanimously voted to suspend the rules to add the following resolution to the agenda:

WHEREAS, the city of Norwich has been awarded a brownfield cleanup grant for \$200,000 from the United States Environmental Protection Agency (US EPA) to commence cleanup activities at 26 Shipping Street, a city-owned property, and

WHEREAS, federal funds in excess of 110,000 have already been expended to perform assessment activities at the aforementioned site, and

WHEREAS, the City of Norwich is required to file registration paperwork with the US EPA for this grant by May 30, 2008

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the City Manager is authorized to sign the registration paperwork and file the same with the US EPA by May 30, 2008.

Mayor Lathrop called for citizen comment.

David Crabb, 47 Prospect St., spoke in favor of the two resolutions relative to deleting Administration, Planning and Economic Development from the Rules of Procedure and the dissolution of the Administration, Planning and Economic Development Committee.

Keith Ripley, Meadow Lane, stated that he has thought about what the council said at the last budget workshop and he wondered what more could be done for the next and future budgets.

Jerry Martin, Gillette Rd., talked about his kids fishing program. He has extra equipment and asked if anyone knew a youth that could use it.

There being no further speakers, Mayor Lathrop declared the first citizen comment period closed.

Upon motion of Ald. Nash, seconded by Ald. Jacaruso, it was unanimously voted to accept a letter of resignation from the Kelly School Building Committee submitted by Ald. Coutu.

City Manager Bergren gave his report as follows:

DATE: May 19, 2008

TO: Mayor Benjamin P. Lathrop & Council Members

FROM: Alan H. Bergren, City Manager

SUBJECT: City Manager Report

1. **Inspections - Building Department Regarding Multi-Family Complexes**

Members of the Council have been receiving reports from Jim Troeger of the Building Office regarding fire separation inspections of multi-family buildings. An additional report will be in your Friday council packets. So far we are finding that these structures are code compliant. The Building Office will continue their inspections until they have exhausted all the structures that might be called into question.

2. **Small Business Administration for Fire Victims**

The SBA has spent all of last week and will continue to spend this week until Thursday around noon taking applications from the residents who were affected by the fire and any business for low interest loans. The SBA has seen 36 people over the past week.

3. **Police Station Project**

The Police Chief has advised me that we can expect a report on the police station project from the architect sometime in the next several weeks. As soon as it is available, copies will be distributed to Members of Council.

4. **Downtown Pedestrian Friendly Initiative**

I have been meeting over the last month and a half with Bob Farwell, Director of Otis Library, Bev Goulet, Director of Human Services, and Police Chief Fusaro and Captain Menard on initiatives we can collectively take to improve the pedestrian atmosphere downtown to make our visitors to the library and other downtown establishments a more positive experience. We have noticed through our efforts, which will continue, a more positive environment.

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5. **Meetings with Fire Chiefs**

As directed by the Public Safety Committee, I have been holding regular meetings with the Fire Chiefs on the vehicle inventory and equipment inventory. I advised the Public Safety Committee at their last meeting that we may need a little assistance in doing an equipment inventory that is a little more involved than vehicle inventory. I believe you have all received the vehicle inventory that was prepared by the central garage.

Ald. Zarnetske submitted a report from the Administration, Planning and Economic Development Committee.

Mayor Lathrop called for a public hearing on AN ORDINANCE APPROPRIATING \$450,000 FOR BUSINESS PARK AREA WATER SYSTEM IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$450,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

John Bilda, General Manager, Public Utilities, 348 Harland Rd., spoke in favor of the ordinance stating that this project would not affect the taxpayers.

David Crabb, 47 Prospect St., spoke in opposition saying that he went to Public Utilities for plans for this ordinance and they told him they were not available.

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

Upon motion of Ald. Zarnetske, seconded by Ald. Bettencourt, it was unanimously voted to continue action on the above ordinance until the June 2, 2008 Council meeting.

Mayor Lathrop called for a public hearing on AN ORDINANCE APPROPRIATING \$560,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF BACKWASH SYSTEMS FOR THE CITY'S WATER TREATMENT PLANTS IN LEBANON (DEEP RIVER) AND MONTVILLE (STONY BROOK) AND AUTHORIZING THE ISSUE OF \$560,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

John Bilda, General Manager, Public Utilities, 348 Harland Rd., spoke in favor stating that the plans have been approved, adding a half million gallons of water to the reservoir.

Upon motion of Ald. Bettencourt, seconded by Ald. Jacaruso, it was unanimously voted to continue action on the above ordinance until the June 2, 2008 Council meeting.

Ald. Jacaruso made a motion, seconded by Ald. Bettencourt, to go into executive session to discuss the sale of an interest in property by the City of Norwich when publicity about the city's position with respect to conditions imposed upon the transaction would cause the likelihood of a decreased price or disposition cost. City Manager Alan H. Bergren, Comptroller Joseph Ruffo, Director of Planning and Economic Development Peter Davis, Corporation Counsel Michael Driscoll, Kenneth Olson, Brandan Fox Attorney Robert Sitkowski, Simon Gerson of Capehart Ventures, LLC will be asked to participate during all or some portions of this Executive Session at the request of the City Council.

The motion carried on a vote of 6-1 with Ald. Zarnetske voting in opposition.

The Council was in executive session from 7:40 PM until 8:10 PM at which time Mayor Lathrop stated no votes were taken.

Upon motion of Ald. Zarnetske, seconded by Ald. Bettencourt, it was unanimously voted to adopt the following resolution:

WHEREAS, the Council of the City of Norwich by resolution adopted September 5, 2007 authorized the acting City Manager to execute a letter of intent with Capehart Ventures, LLC which proposed to buy tax liens from the City of Norwich for the property known as the Capehart Mill; and

WHEREAS, said resolution authorized the City of Norwich to negotiate with Capehart Ventures, LLC in accordance with the terms and conditions of the letter of intent; and

WHEREAS, Capehart Ventures, LLC and the city have negotiated an agreement with respect to the sale of tax liens for said property, a copy of which agreement is attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Norwich that City Manager, Alan Bergren, being and hereby is authorized and directed to execute said agreement on behalf of the City of Norwich and, upon due execution of the same by Capehart Ventures, LLC to deliver a duplicate original copy of the same to Capehart Ventures, LLC.

Upon motion of Ald. Nash, seconded by Ald. Jacaruso, it was unanimously voted to adopt the following resolution:

WHEREAS, The Salute to America event held at Dodd Stadium honors our nation's veterans; and

WHEREAS, the cost of this event is supported by private donations; and

WHEREAS, the City of Norwich expects to receive donations to support the Salute to America event; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that said donations received by the City of Norwich in support of the Salute to America event will be deposited into the City of Norwich Other Grants & Programs Fund Account S9919-75000; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COUNCIL OF CITY OF NORWICH, that the City Manager be directed to cause all donations received by the City of Norwich in support of the Salute to America Committee from Other Grants & Programs Fund account S9919-80000.

Ald. Desaulniers made a motion, seconded by Ald. Zarnetske, for adoption of the following resolution:

WHEREAS, Chapter 228a of the Connecticut General Statutes (C.G.S. 12-631aa-12-638) authorizes the Neighborhood Assistance Act to be administered by the State Department of Revenue Services; and

WHEREAS, the Neighborhood Assistance Act provides a tax credit for business firms which sponsor local programs; and

WHEREAS, such programs must be proposed and conducted by private non-profit agencies or municipalities and be approved by the local legislative body; and

WHEREAS, a public hearing has been duly noticed and held on applications submitted to the City Manager’s Office.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH:

A public hearing will be held on June 2, 2008 to review applications and receive comments relative to the Neighborhood Assistance Act.

Ald. Zarnetske made a motion, seconded by Ald. Bettencourt, to amend the above resolution to read as follows:

WHEREAS, Chapter 228a of the Connecticut General Statutes (C.G.S. 12-631aa-12-638) authorizes the Neighborhood Assistance Act to be administered by the State Department of Revenue Services; and

WHEREAS, the Neighborhood Assistance Act provides a tax credit for business firms which sponsor local programs; and

WHEREAS, such programs must be proposed and conducted by private non-profit agencies or municipalities and be approved by the local legislative body; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH:

A public hearing will be held on June 2, 2008 to review applications and receive comments relative to the Neighborhood Assistance Act.

The motion to amend passed unanimously.

Upon motion of Ald. Zarnetske, seconded by Ald Bettencourt, it was unanimously voted to adopt the above resolution, as amended.

Ald. Jacaruso made a motion, seconded by Ald. Nash, to adopt the following resolution:

WHEREAS, the Council of the City of Norwich on December 17, 2007 adopted Rules of Procedure for the Norwich City Council which rules provide at Section XXII that the following shall be standing committees consisting of three alderman or alderwoman, each to be appointed by the mayor:

- Public Works and Capital Improvements Committee
- Public Safety Committee

WHEREAS, the Rules of Procedure of the Norwich City Council provide that the council may amend the Rules of Procedure by a majority four (4) votes of the council

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Norwich that Rule XXII of the Rules of Procedure of the Norwich City Council be amended to delete "(c) Administration, Planning and Economic Development" from the wording of Rule XXII.

Ald. Desaulniers made a motion, seconded by Ald. Zarnetske, to postpone voting on the above resolution until Sept. 2, 2008.

The motion failed on a vote of 4-3 with Ald. Nash, Bettencourt, Jacaruso and Mayor Lathrop voting in opposition.

Ald. Zarnetske made a motion, seconded by Ald. Coutu, to amend the above resolution by eliminating sub committees A & B, the Public Works and Capital Improvements Committee and the Public Safety Committee.

The motion failed on a vote of 5 to 2, with Ald. Nash, Desaulniers, Bettencourt, Jacaruso and Mayor Lathrop voting in opposition.

The motion to adopt the above resolution carried on a vote of 5-2 with Ald. Zarnetske and Ald. Coutu voting in opposition.

Ald. Jacaruso made a motion, seconded by Ald. Nash, to adopt the following resolution:

WHEREAS, the Council of the City of Norwich by resolution has amended Rule XXII of the Rules of Procedure of the Norwich City Council to delete reference to (c) Administration, Planning and Economic Development as a standing committee of the Council of the City of Norwich; and

WHEREAS, the Mayor of the City of Norwich previously appointed Aldermen Christopher Coutu, Jonathan Jacaruso and Robert Zarnetske as members of the Administration, Planning and Economic Development Standing Committee

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Norwich that said appointments be rescinded, effective immediately and that the Administration, Planning and Economic Development Committee of the Council be and hereby is dissolved.

Ald. Coutu made a motion, seconded by Ald. Zarnetske, to postpone the above resolution until the July 7, 2008 Council meeting.

The motion failed on a vote of 4-3 with Ald. Nash, Bettencourt, Jacaruso and Mayor Lathrop voting in opposition.

The motion to adopt the above resolution passed on a 4-3 vote with Ald. Zarnetske, Coutu and Desaulniers voting in opposition.

Upon motion of Ald. Jacaruso, seconded by Ald. Bettencourt, it was unanimously voted to adopt the following resolution:

WHEREAS, the city of Norwich has been awarded a brownfield cleanup grant for \$200,000 from the United States Environmental Protection Agency (US EPA) to commence cleanup activities at 26 Shipping Street, a city-owned property, and

WHEREAS, federal funds in excess of 110,000 have already been expended to perform assessment activities at the aforementioned site, and

WHEREAS, the City of Norwich is required to file registration paperwork with the US EPA for this grant by May 30, 2008

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the City Manager is authorized to sign the registration paperwork and file the same with the US EPA by May 30, 2008.

Mayor Lathrop called for citizen comment.

David Warfield, 236 Washington St., came to watch the discussions on APED only to find it to be a tragic evening. He said the decisions made tonight were not made on facts.

Kathleen Murphy, stated she was very disappointed tonight.

Keith Ripley, Meadow Ln., stated that the Council should not have voted on the two resolutions concerning the APED Committee tonight.

There being no further speakers Mayor Lathrop declared citizen comment period closed.

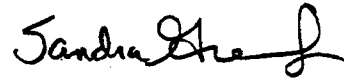
Upon motion of Ald. Bettencourt made a motion, seconded by Ald. Nash, it was unanimously voted to move to executive session for the purposes of discussing the purchase of property when publicity regarding such purchase would cause a likelihood of an increased price. City Manager Alan H. Bergren, Comptroller Joseph Ruffo, Director of Planning and Economic Development Peter Davis, Director of Public Works Joseph Loyacano and Corporation Counsel Michael Driscoll will be asked to participate during all or some portions of this Executive Session at the request of the City Council.

It was further moved that the members of the Norwich City Council continue Executive Session for the purpose of discussing strategy and negotiations with respect to pending claims involving the City of Norwich with respect to property on Corning Road. City Manager Alan H. Bergren, Comptroller Joseph Ruffo, Director of Public Works Joseph Loyacano, Director of Planning and Economic Development Peter Davis and Corporation Counsel Michael E. Driscoll will be asked to participate during all or some portions of this Executive Session at the request of the City Council.

The Council was in executive session from 10:10 PM until 10:25 PM at which time Mayor Lathrop stated no votes were taken.

Upon motion of Ald. Bettencourt, seconded by Ald. Jacaruso, it was unanimously voted to adjourn at 10:26 PM.

ATTEST:

A handwritten signature in black ink, appearing to read "Sandra Greig". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

ASST. CITY CLERK