



CITY OF NORWICH
CONNECTICUT

AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
May 3, 2021
7:30 PM

PRAYER

PLEDGE OF ALLEGIANCE

ADOPTION OF MINUTES: April 5, 15 and 19, 2021

PROCLAMATION: Salvation Army Week

PUBLIC HEARING

1. AN ORDINANCE PROVIDING FOR THE ABATEMENT OF REAL ESTATE TAXES ON REAL PROPERTY IMPROVEMENTS AND THE WAIVER OF BUILDING PERMIT FEES FOR THE HISTORIC REDEVELOPMENT AND/OR REUSE OF THE PONEMAH MILL BUILDING #2, ALSO KNOWN AS 555 & 575 NORWICH AVENUE (to be continued to a later date)

SECOND READING AND ACTION ON ORDINANCE PREVIOUSLY PRESENTED

PETITIONS AND COMMUNICATIONS

1. Letter of resignation of John John from the Personal and Pension Board.

CITY MANAGER'S REPORT

CITIZENS COMMENT ON RESOLUTIONS (only on the agenda items)

NEW BUSINESS-RESOLUTIONS

1. Relative to the sale of 8 Garfield Avenue.
2. Relative to reallocate funds from the 2018-19 capital budget for the Taftville Volunteer Fire Department.

3. Relative to convey property at 214 Harland Road and Harland Road.
4. Relative to the acceptance of property in lieu of foreclosure at 90 Beech Drive.
5. Relative to an amendment of the 2021-22 budget to increase funding for clerks in the City Clerk and Tax offices.
6. Relative to tentative adoption of the preliminary budget for Fiscal Year 2021-2022.
7. Relative to requesting City Manager, John Salomone to review and assist the Council in identifying and prioritizing reductions to the general fund budget by a target figure of 3%.

NEW BUSINESS-ORDINANCES

1. AN ORDINANCE APPROPRIATING \$600,000 FOR THE DEMOLITION, PLANNING, ACQUISITION AND INSTALLATION OF IMPROVEMENTS TO THE HVAC SYSTEM AT THE JOHN B. STANTON SCHOOL AND AUTHORIZING THE ISSUE OF \$600,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

EXECUTIVE SESSION: Property acquisition and disposition


City Clerk



City Of Norwich

Mayors Office

Peter Albert Nystrom, Mayor

PROCLAMATION

WHEREAS, as noted by President Eisenhower in 1954, 74 years after The Salvation Army arrived in the US, “Among Americans, The Salvation Army has long been a symbol of wholehearted dedication to the cause of human brotherhood. In time of war, the men and women of this organization have brought to those serving their country far from home, friendliness and warm concern. In the quieter days of peace, their work has been a constant reminder to us all that each of us is neighbor and kin to all Americans. Giving freely of themselves, the men and women of The Salvation Army have won the respect of us all;” and

WHEREAS, The Salvation Army loves all, serves all, fights for all without discrimination; and

WHEREAS, The Salvation Army is the world’s largest nongovernmental provider of poverty relief serving millions annually; and

WHEREAS, The Salvation Army stands ready locally, nationally and internationally to respond when disaster strikes; locally during the COVID-19 Pandemic, providing food resources and assistance to those directly impacted through their Door Dash program as well as nearly 2500 emergency food boxes to households suffering from the food resource shortage during the pandemic; and

WHEREAS, The Salvation Army addresses seasonal needs such as the 2020 Rescue Christmas and Back to School Backpack collaboration; and

WHEREAS, the City of Norwich is honored to take part in the annual observance of National Salvation Army Week in recognition of their ongoing selfless service to others.

NOW THEREFORE, I, MAYOR PETER ALBERT NYSTROM AND NORWICH CITY COUNCIL PRESIDENT PRO TEM, MARK BETTENCOURT, ON BEHALF OF THE NORWICH CITY COUNCIL AND THE CITIZENS OF THE CITY OF NORWICH, do hereby proudly acknowledge and congratulate The Salvation Army for their loving and giving throughout the year and proudly proclaim May 10th to May 14th as National Salvation Army Week.

Dated this Third day of May, 2021

**Peter Albert Nystrom
Mayor**

**Mark Bettencourt
President Pro Tem**

AN ORDINANCE PROVIDING FOR THE ABATEMENT OF REAL ESTATE TAXES ON REAL PROPERTY IMPROVEMENTS AND THE WAIVER OF BUILDING PERMIT FEES FOR THE HISTORIC REDEVELOPMENT AND/OR REUSE OF THE PONEMAH MILL BUILDING #2, ALSO KNOWN AS 555 & 575 NORWICH AVENUE

WHEREAS, The Council of the City of Norwich seeks to encourage development opportunities that will contribute to the economic stability of the city, encourage tourism and improve the quality of life for the residents of Norwich through the adaptive reuse, rehabilitation, and preservation of the historic and architecturally unique resources, including historic industrial mills, that reflect Norwich's rich history; and

WHEREAS, the Ponemah Mills are contributing structures to the Taftville National Register Historic District and are designated as a historic mill site in the "Feasibility and Planning Study: The Historic Mills of Norwich, Connecticut" published by the city of Norwich in 1992, and

WHEREAS, the Council of the City of Norwich wishes to encourage the adaptive reuse and rehabilitation of the Historic Ponemah Mill Building #2 known as 555 & 575 Norwich Avenue in Taftville, and sometimes referred to as the South Mill (the "South Mill" which is comprised of two (2) separate structures, and an economically viable project; and

WHEREAS, 555 South Mill LLC and 575 South Mill LLC (555/575 South Mill LLC) are engaged in the development of the South Mill in phases, and anticipates completion of the renovations and rehabilitation in a period not to exceed three (3) years from the from the date of commencement of construction of each Phase as defined herein; and

WHEREAS, 555/575 South Mill LLC intends to develop Building #2 in the following Phases:

555 Norwich Avenue (Phase 4)
575 Norwich Avenue (Phase 5)

and

WHEREAS, 555/575 South Mill LLC has obtained the necessary local land use approvals for the mixed-use redevelopment and conversion of the South Mill for historically appropriate use; and

WHEREAS, 555/575 South Mill LLC has undertaken substantial environmental cleanup of the South Mill and intends to utilize Federal Historic Rehabilitation Tax Credits which require the South Mill to remain income producing for a minimum of five years; and

WHEREAS, the Council of the City of Norwich finds that the South Mill is historically and architecturally meritorious and it has authority pursuant to Section 12-127a of the Connecticut General Statutes and Sec. 7-121.5 of the Norwich Code of Ordinances to abate real estate tax revenue in whole or in part for such historic mill structures; and

WHEREAS, the Norwich Commission on the City Plan has determined that the continued development of the Ponemah Mills complex, by extending development to the South Mill and the associated abatement of real estate taxes as set forth herein in the is consistent with the City's mill enhancement program; and

WHEREAS, the Council of the City of Norwich also has authority pursuant to Section 4-7 of the Norwich Code of Ordinances to reduce or waive building permit fees in cases involving industrial buildings such as the South Mill where it determines that such buildings or structures will be a benefit to the city; and

WHEREAS, 555/575 South Mill LLC has paid and is anticipated to continue to pay the real estate taxes which have been assessed against the South Mill to date and seeks an abatement of the taxes to become due for the improvements made to the South Mill during and after renovations as set forth herein to assist it in obtaining financing for the project

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that real estate taxes on the real property improvements associated with the historic redevelopment and adaptive reuse of the South Mill shall be abated for a period of 15 years from the date of the Certificate of Occupancy for Phases 4 and 5, and following the period of construction of each Phase (each being a "Construction Period"). Each Construction Period shall commence at the time of the issuance of the first building permit for new construction after the date of approval of this ordinance but no later than July 1, _____ for either phase 4 or phase 5; whichever phase commences first, and July 1 _____ for the commencement of the remaining phase. Each Construction Period shall terminate no later than three (3) years from the date of issuance of the first Certificate of Occupancy ("CO") for each Phase, whichever occurs first.

AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that real estate taxes on real property improvements associated with the historic redevelopment and adaptive reuse of the South Mill shall be abated for a period of 15 years in accordance with the following schedule commencing with the Grand List of October 1, 2020 or upon the issuance of the first CO for the property, whichever occurs first-

Year	<u>Abatement Percentage on Real Property Improvements</u>	<u>Taxation Percentage on Real Property Assessment</u>
1	75%	100%
2	75%	100%
3	75%	100%
4	75%	100%
5	75%	100%
6	50%	100%
7	50%	100%
8	50%	100%
9	50%	100%
10	50%	100%
11	25%	100%
12	25%	100%
13	25%	100%
14	25%	100%
15	25%	100%

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that pursuant to Sec. 7-121.5 of the Norwich Code of Ordinances, if after taxes on the South Mill have been abated, the South Mill (555 Norwich Avenue and/or 575 Norwich Avenue) is/are demolished or remodeled in a way which destroys its architectural or historic value, the then owner shall pay the city an amount equal to the total amount of taxes which had been abated under this ordinance.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that all building permit fees associated with the historic redevelopment and adaptive reuse of the South Mill shall be waived with the exception of any costs related to state fees and necessary third-party review of construction documents.

Mayor Peter Albert Nystrom
President Pro Tem Mark M. Bettencourt
Alderwoman Stacy Gould

RESOLUTION #1

WHEREAS, the City of Norwich, is utilizing the services of Signature Properties as a realtor, which has listed the property at 8 Garfield Avenue and received an offer to purchase.

WHEREAS, the Council has resolved that upon receipt of a Purchase and Sales Agreement containing an offer to purchase on such terms and conditions as are satisfactory to the City Manager, he was to notify the Council of the proposed Purchase and Sales Agreement for its consideration and possible approval; and

WHEREAS, City Manager John Salomone has received a Purchase and Sales Agreement from Signature Properties containing an offer to purchase 8 Garfield Avenue, the offer being the sum of \$_____ with property to be conveyed in "as is" condition.

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 enter into a Purchase and Sales Agreement on behalf of the City of Norwich to sell said property at a price of \$_____ to _____ of _____ pursuant to the terms of said Purchase and Sales Agreement and, upon timely tender of the purchase price subject to standard adjustments, to execute and deliver a deed of conveyance to _____ of _____ or his designee for the property known as 8 Garfield Avenue, and to execute, deliver, and receive such other documents as are necessary to complete the transfer of title in keeping with the terms and conditions of the Purchase and Sales Agreement.

Mayor Peter Albert Nystrom
President Pro Tem Mark M. Bettencourt
Alderman Stacy Gould
Alderman Joseph A. DeLucia

RESOLUTION #2

To reallocate funds from the 2018-19 capital budget for the Taftville Volunteer Fire Department.

WHEREAS, the Taftville Volunteer Fire Department (TVFD) would like to:

- Remove two existing poles from the center off its parking lot which are no longer used
- Relocate the current basketball court lighting to illuminate the renovated basketball court
- Move the control unit for the lights to a more accessible area for those using the court; and,

WHEREAS, the TVFD has \$11,625 remaining from its 2018-19 Capital Improvement Fund account 36022019-57206 which was originally designated for paving the station's rear lot.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that \$11,625 be and hereby is reallocated from Capital Improvement Fund account 36022019-57206 for the purposes described.

Mayor Peter Albert Nystrom
President Pro Tem Mark M. Bettencourt
Aldерwoman Stacy Gould

RESOLUTION #3

WHEREAS, the City of Norwich owns two undeveloped parcels of land situated on the northwesterly side of Harland Road which lots are listed on city records as 214 Harland Road and Harland Road; and

WHEREAS, the city acquired the property known as 214 Harland Road in lieu of the taxes owed on it by a quitclaim deed recorded on June 6, 1995 at book 1215 page 293; and

WHEREAS, the city acquired the property identified as Harland Road on May 19, 1987 by a quitclaim deed recorded at volume 784 page 201 of the Norwich Land Records; and

WHEREAS, at the recommendation of the Public Works Committee the city offered said parcels to the two adjoining property owners, each to submit a bid to acquire the property if interested, with the minimum bid set at \$3,000 and a requirement the acquired parcels be merged with the owner's abutting parcel; and

WHEREAS, the owners of the abutting parcel located on Harland Road indicated that they were not interested in acquiring the property and the owners of an abutting property at 13 Beebe Road indicated that they were interested in acquiring the property to be merged with their existing parcel and bid \$3,050; and

WHEREAS, the owners of 13 Beebe Road have submitted a refundable deposit of \$500 and agree that they will merge 214 Harland Road and Harland Road with their existing property at 13 Beebe Road by Thursday, June 25, 2021.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that the bid of \$3,050 made by Greg Case and Catherine Romano-Case be accepted with the express understanding that the properties identified as 214 Harland Road and Harland Road will be merged with the property at 13 Beebe Road on or before June 25, 2021; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that City Manager John Salomone, on behalf of the City of Norwich, be and hereby is authorized and directed to convey the properties identified as 214 Harland Road and Harland Road as described herein by volume and page to Greg Case and Catherine Romano-Case by way of a quitclaim deed satisfactory to him and to deliver the same to Greg Case and Catherine Romano-Case together with such other documents as are necessary to complete the transfer and merger.

Mayor Peter Albert Nystrom
President Pro Tem Mark M. Bettencourt
Aldерwoman Stacy Gould

RESOLUTION #4

WHEREAS, Lisa A. Fisher has offered to convey to the City of Norwich by a deed in lieu of foreclosure a parcel of land carried on the land records of the City's Tax Assessor's office as Map 76, Block 3, Lot 18 (90 Beech Drive) more particularly described in Schedule A attached hereto; and

WHEREAS, Lisa A. Fisher has offered said deed in lieu of foreclosure in full and final satisfaction of all real estate taxes due the City of Norwich assessed with respect to 90 Beech Drive; and

WHEREAS, the taxes due as of April 30, 2021 are \$2,651.49 and said property is assessed at a value of \$5,700.00.

NOW THEREFORE BE IT RESOLVED, that the City of Norwich hereby accepts the tender of the deed in lieu of foreclosure by Lisa A. Fisher, conveying to the City of Norwich title to 90 Beech Drive in full and final satisfaction of said taxes assessed with respect to said property; and

BE IT FURTHER RESOLVED, that City Manager John Salomone be and hereby is authorized to accept said deed on behalf of the City of Norwich, subject to the approval of the Corporation Counsel, and to cause it and any other necessary documents to be filed or recorded.

Mayor Peter Albert Nystrom
President Pro Tem Mark M. Bettencourt
Aldерwoman Stacy Gould

**RESOLUTION #4
SCHEDULE A**

Schedule "A"

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

BEGINNING at an iron on the westerly line of Beech Drive at the southeasterly corner of the herein described tract; thence running northerly about 240 feet along the westerly line of Beech Drive and land now or formerly of Ogulnick to an iron; thence running southwesterly about 203.7 feet along said Ogulnick land and land now or formerly of the City of Norwich to a point on the southeasterly line of Mohegan Road, at the dividing line between the herein described tract and land now or formally of the City of Norwich and running thence southwesterly about 205 feet along said road line to land now or formally of Henry Levine; thence southeasterly about 111 feet; thence deflecting $8^{\circ} 18'$ to the right and running southwesterly about 38.5 feet, the last two lines abutting said Levine land; thence running northeasterly about 142.5 feet to an iron pipe abutting on other land of the Grantor; thence deflecting $53^{\circ} 15'$ to the right and running easterly along the northerly line of other land of the Grantor about 146.8 feet to the westerly line of Beech Drive and the point and place of beginning.

Together with whatever rights of way this Grantor can convey in, over, on or to said Beech Drive, which runs along the Easterly line of the herein-described tract.

Being the same premises described as the second and third tracts in a Warranty Deed to this Grantor, recorded in Volume 1677 at Page 313 of the Norwich Land Records on August 1, 2002.

The purpose and intent of this deed is to merge two tracts of land known as 90 Beech Drive and 21 Mohegan Road into one tract to be known as 90 Beech Drive.

This deed is prepared by scrivener without the benefit of a title search.

RESOLUTION #5

Relative to an amendment of the 2021-22 budget to increase funding for clerks in the City Clerk and Tax offices.

RESOLVED, that the budget for Fiscal Year 2021-22, as proposed on April 5, 2021, be amended by the expenditure adjustments as listed herein.

General Fund Expenditures

Description	Department	Page	ORG	OBJ	Change in Expenditures	Change in GF Mill Rate	Change in CCD Mill Rate
Add 0.5 FTE Revenue Collection Clerk	Finance	55	10411700	51610	23,674		
Fringe on 0.5 FTE Revenue Collection Clerk	Finance	55	10411700	52000	12,598		
Add a Records Clerk and remove 0.5 FTE Revenue Collection Clerk	City Clerk	65	10414700	51610	23,674		
Fringe on net change in City Clerk staffing	City Clerk	65	10414700	52000	12,598		
Total Change					72,544	0.04	0.00

Mayor Peter Albert Nystrom
Alderman Bill Nash
Alderwoman Stacy Gould

RESOLUTION #6

Relative to tentative adoption of the preliminary budget for Fiscal Year 2021-2022.

RESOLVED, that the proposed preliminary budget for Fiscal Year 2021-22, as amended by the expenditure changes on May 3, 2021, be tentatively adopted, with a public hearing scheduled for Monday, May 10, 2021 at 7:30 PM in the Council Chambers of City Hall.

Mayor Peter Albert Nystrom
President Pro Tem Mark M. Bettencourt
Alderwoman Stacy Gould

RESOLUTION #7

WHEREAS, the Charter of the City of Norwich, at Chapter VII, section 2, provides that the chief executive officer of the city shall submit to the council on or before the first Monday in April a budget message, an annual or current expense budget which shall be a complete financial plan for the ensuing fiscal year, and a capital budget which shall be a financial plan for affecting capital improvements; and

WHEREAS, City Manager John Salomone on April 5, 2021 delivered his budget message and presented his proposed budget for fiscal year 2021-2022 to the Council of the City of Norwich recommending a general fund budget of \$138,686.292; and

WHEREAS, a public hearing on the budget presented by the city manager was held on April 15, 2021 with the council to act initially on the city manager's proposed budget by the second Monday in May 2021; and

WHEREAS, the council, recognizes that this has been a difficult year for the City and the citizens of the City of Norwich with many uncertainties still to be faced; and

WHEREAS, the council anticipates that it will need to make reductions to the proposed city manager's budget and requests the city manager's continuing assistance in identifying areas most appropriate for reduction, such assistance to commence immediately.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, City Manager John Salomone be and hereby is requested to review the general fund budget of the City of Norwich as he presented it and as it is initially approved by the council and to assist the council in identifying and prioritizing reductions to the same in an effort to reduce the general fund budget or to identify additional or alternate possible sources of revenue to reach a target reduction figure of 3%.

Mayor Peter Albert Nystrom
Alderman Bill Nash
Alderwoman Stacy Gould

NEW BUSINESS ORDINANCE #1

Council Ordinance

AN ORDINANCE APPROPRIATING \$600,000 FOR THE DEMOLITION, PLANNING, ACQUISITION AND INSTALLATION OF IMPROVEMENTS TO THE HVAC SYSTEM AT THE JOHN B. STANTON SCHOOL AND AUTHORIZING THE ISSUE OF \$600,000 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 \$600,000 is appropriated for the demolition of the existing boilers and the planning, permitting, acquisition, and installation of new boilers and other HVAC improvements to the John B. Stanton School including but not limited to the abatement of any hazardous materials in the boiler room, equipment purchases, upgrades or improvements, architecture, engineering and other consultants, appurtenances and services related thereto, all or so much of any portion of any part of the foregoing as may be accomplished within the foregoing appropriation and as determined by the City of Norwich (the "City"), and for administrative, advertising, printing, legal and financing costs (hereinafter 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 \$600,000. The average estimated useful life of the Project is 30 years. The Project is a general benefit to the City and its general governmental purposes. Project costs may be paid from grants, bonds and notes issued by the City, or any combination of the foregoing.

Section 3. To meet said appropriation, up to \$600,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) 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 bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. 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. 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 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 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 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.

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 equipment in accordance with the provisions of the Statutes and the laws of the United States.

Mayor Peter Albert Nystrom
President Pro Tem Mark M. Bettencourt
Alderwoman Stacy Gould