



CITY OF NORWICH
CONNECTICUT

AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH

July 6, 2021

7:30 PM

The meeting will be televised on the Public Access Channel and posted on the city website, www.norwichct.org, in real time.

PRAYER

PLEDGE OF ALLEGIANCE

ADOPTION OF MINUTES: June 7, 14 and 21, 2021

PUBLIC HEARING

1. Relative to holding a public hearing on the Community Development Block Grant allocation recommendations.

PETITION AND COMMUNICATION

1. City Manager presentation regarding the America Rescue Plan Act.

CITY MANAGER'S REPORT

CITIZENS COMMENT ON RESOLUTIONS (only on the agenda items)

NEW BUSINESS-RESOLUTIONS

1. Relative to a resolution amending the Proposed Community Development Block Grant recommendations.
2. Relative to a resolution on the Community Development Block Grant allocation recommendations for Program year 2021.
3. Relative to a resolution regarding Fire's Chiefs meetings.

NEW BUSINESS-ORDINANCES

1. AN ORDINANCE APPROPRIATING \$740,000 FOR THE PLANNING, PERMITTING AND ENGINEERING OF INFRASTRUCTURE ACCESS IN THE OCCUM SECTION OF THE CITY AND AUTHORIZING THE ISSUE OF \$740,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE
2. AN ORDINANCE INCREASING THE APPROPRIATION FROM \$750,000 TO \$997,500 FOR THE PLANNING, ACQUISITION, AND CONSTRUCTION OF A WATER MAIN AND SERVICE LINES FOR THE COUNTRYSIDE DRIVE ASSOCIATION, INCREASING THE AUTHORIZATION FROM \$750,000 TO \$997,500 FOR THE ISSUANCE OF REVENUE BONDS OF THE CITY SECURED SOLELY BY WATER REVENUE TO MEET SAID APPROPRIATION, AUTHORIZING THE CITY AND DEPARTMENT OF PUBLIC UTILITIES TO ENTER INTO GRANT AND LOAN AGREEMENTS AND A JOINT RESOLUTION WITH THE STATE OF CONNECTICUT WITH RESPECT THERETO

Betsy Bennett
City Clerk

PUBLIC HEARING #1

WHEREAS, the City of Norwich is an Entitlement community receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) dollars of \$876,317 for program year 2021 (PY47); and

WHEREAS, the Community Development Advisory Committee (CDAC) has held public meetings and voted on their recommendations for CDBG allocations in the month of May; and

WHEREAS, the allocation process is subject to a 30-day comment period prior to being placed into effect and the Council of the City of Norwich must hold a public hearing regarding the recommendations prior to the final vote on the allocation.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the Council shall meet on the subject of Community Development Block Grant allocation recommendations for PY 2021.

CDBG Requests - PY47 (2021-2022)		<i>Revised 5/19/21</i>	
Anticipated PY 2021 Allocation	\$ 860,989.00	\$ 876,317.00	\$ 876,317.00
	PY47 Request	CDAC Recommendation	Council Recommendation
CDBG Requests - PY47 (2021-2022)			
CD Office - Administration (20% of Grant Funds)	\$ 172,197.00	\$ 175,197.00	
Public Services			
Children in Placement - GAL	\$ 20,000.00	\$ 20,000.00	
TVCCA Home Again Homeless Prevention	\$ 20,000.00	\$ 20,000.00	
Norwich Works - NHS	\$ 60,000.00	\$ 60,000.00	
Rapid Rehousing/Shelter Diversion - NHS	\$ 15,000.00	\$ 15,000.00	
Safe Futures	\$ 15,000.00	\$ 15,000.00	
Citizen & Police Academy - NPD	\$ 10,936.70	\$ -	
Night Flight Basketball - NPD	\$ 18,738.40	\$ -	
Total Public Services	\$ 159,675.10	\$ 130,000.00	
Non-Public Services			
Columbus Park - DPW	\$ 88,401.00	\$ 40,280.00	
Handicap Accessibility - DPW	\$ 40,430.00	\$ 40,430.00	
Rosewood Manor Roof & Gutters - NHA	\$ 150,000.00	\$ 150,000.00	
Futures, Inc. - HVAC System	\$ 30,046.00	\$ -	
McKeon Park - Norwich Recreation	\$ 165,801.00	\$ 55,623.00	
Jenkins Park - Norwich Recreation	\$ 149,200.00	\$ 11,375.00	
Property Rehabilitation & Code Compliance - CD	\$ 225,000.00	\$ 273,412.00	
Total Non-Public Services	\$ 848,878.00	\$ 571,120.00	
Public Service	\$ 159,675.10	\$ 130,000.00	
Non-Public Service	\$ 848,878.00	\$ 571,120.00	
CD Administration	\$ 172,197.00	\$ 175,197.00	
Total All Requests	\$ 1,180,750.10	\$ 876,317.00	
Total Funding	\$ 860,989.00	\$ 876,317.00	
	\$ (319,761.10)	\$ -	

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

RESOLUTION #1

WHEREAS, the Norwich Police Department has applied for Community Development Block Grant Funds to provide services through the Citizens and Police Academy; and

WHEREAS, Community Development Block Grant Funds may only be used to provide such services in areas qualifying for the grant as low to moderate income areas.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, the sum of \$10,936.76 be taken from the Property Rehabilitation and Code Compliance allocation and transferred to the City and Police Academy allocation with the express requirement any program or services to be provided by the Citizen and Police Academy shall be provided only in areas to qualify for them as low and moderate income areas as determined by the Office of Community Development consistent with the requirements of the Community Development Block Grant Program.

Mayor Peter Albert Nystrom
Alderman Bill Nash
Alderwoman Stacy Gould

RESOLUTION #2

WHEREAS, the City of Norwich is an Entitlement community receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) dollars of \$876,317 for program year 2021 (PY47); and

WHEREAS, the Community Development Advisory Committee (CDAC) has held public meetings and voted on their recommendations for CDBG allocations in the month of May; and

WHEREAS, the allocation process is subject to a 30-day comment period prior to being placed into effect and the Council of the City of Norwich must hold a public hearing regarding the recommendations prior to the final vote on the allocation.

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	\$ (319,761.10)	\$ -	

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

RESOLUTION #3

WHEREAS, the City of Norwich has received an analysis of the Fire/EMS Services provided in the City of Norwich prepared by the McGrath Consulting Group, Inc., with emphasis on the services provided by the City of Norwich Fire Department and the five (5) volunteer fire departments; and

WHEREAS, the report makes recommendations with respect to an amalgamation of the six (6) fire departments with a goal of supporting and improving services provided by the departments; and

WHEREAS, the report also recommends the establishment of a position of a fire commissioner which position will not be established this year for budgetary reasons and may in the future be subject to budgetary issues; and

WHEREAS, the Council finds that the services provided by the fire departments in the City of Norwich are supported and improved by regular meetings among the chiefs of the fire departments.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that City Manager John Salomone be and hereby is directed to arrange monthly meetings to include himself, the chiefs of the six (6) fire departments or their designees, and such other persons as he believes would be helpful to such meetings. Cancellation of meetings will be expeditiously reported to the City Council via email by the City Manager stating the reason for cancellation. That notice will be considered complying with the directions in this resolution. It is recommended that elected officials not participate in these meetings in order to facilitate open discussions regarding fire service-related matters.

BE IT ALSO RESOLVED, the goals will be implementing changes in the fire service described in the McGrath Consulting Group, Inc. analysis to provide the fastest, safest, and most efficient delivery of services. Initial goals will be to implement changes to the dispatch and radio issues identified previously. Subsequent priority items will be identified by the City Manager and/or the Public Safety Committee. Monthly reports shall be provided to the City Council by the City Manager regarding meetings held, agenda items discussed, and action plans developed in the implementation of the above stated goal and future priorities.

President Pro Tem Mark M. Bettencourt
Alderman Derell Q. Wilson
Alderman Ella C. Myles
Alderman Joseph A. DeLucia

**NEW BUSINESS
ORDINANCE #1**

AN ORDINANCE APPROPRIATING \$740,000 FOR THE PLANNING, PERMITTING AND ENGINEERING OF INFRASTRUCTURE ACCESS IN THE OCCUM SECTION OF THE CITY AND AUTHORIZING THE ISSUE OF \$740,000 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 \$740,000 is appropriated for the planning, permitting and engineering of infrastructure access in the Occum section of the City and authorizing the issue of \$740,000 bonds of the City of Norwich (the "City") including but not limited to planning, permitting, 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, 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 \$740,000. 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 \$740,000 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
Aldерwoman Stacy Gould

Council's Amending Ordinance

AN ORDINANCE INCREASING THE APPROPRIATION FROM \$750,000 TO \$997,500 FOR THE PLANNING, ACQUISITION, AND CONSTRUCTION OF A WATER MAIN AND SERVICE LINES FOR THE COUNTRYSIDE DRIVE ASSOCIATION, INCREASING THE AUTHORIZATION FROM \$750,000 TO \$997,500 FOR THE ISSUANCE OF REVENUE BONDS OF THE CITY SECURED SOLELY BY WATER REVENUE TO MEET SAID APPROPRIATION, AUTHORIZING THE CITY AND DEPARTMENT OF PUBLIC UTILITIES TO ENTER INTO GRANT AND LOAN AGREEMENTS AND A JOINT RESOLUTION WITH THE STATE OF CONNECTICUT WITH RESPECT THERETO

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH:

Section 1. An Ordinance adopted January 6, 2020, entitled "AN ORDINANCE APPROPRIATING \$750,000 FOR THE PLANNING, ACQUISITION, AND CONSTRUCTION OF A WATER MAIN AND SERVICE LINES FOR THE COUNTRYSIDE DRIVE ASSOCIATION AND AUTHORIZING THE ISSUANCE OF \$750,000 REVENUE BONDS OF THE CITY SECURED SOLELY BY WATER REVENUE TO MEET SAID APPROPRIATION, AND AUTHORIZING THE CITY AND DEPARTMENT OF PUBLIC UTILITIES TO ENTER INTO GRANT AND LOAN AGREEMENTS AND A JOINT RESOLUTION WITH THE STATE OF CONNECTICUT WITH RESPECT THERETO" (the "Prior Ordinance"), which ordinance is hereby ratified, confirmed and adopted, is amended to increase the appropriation and bond authorization therein by \$247,500, from \$750,000 to \$997,500. The changed portions of the Prior Ordinance set forth in cross marks representing deletions and bold representing additions is as follows:

Section 2. The title of the Ordinance is amended to read as follows:

AN ORDINANCE APPROPRIATING ~~\$750,000~~ **\$997,500** FOR THE PLANNING, ACQUISITION, AND CONSTRUCTION OF A WATER MAIN AND SERVICE LINES FOR THE COUNTRYSIDE DRIVE ASSOCIATION AND AUTHORIZING THE ISSUANCE OF ~~\$750,000~~ **\$997,500** REVENUE BONDS OF THE CITY SECURED SOLELY BY WATER REVENUE TO MEET SAID APPROPRIATION, AND AUTHORIZING THE CITY AND DEPARTMENT OF PUBLIC UTILITIES TO ENTER INTO GRANT AND LOAN AGREEMENTS AND A JOINT RESOLUTION WITH THE STATE OF CONNECTICUT WITH RESPECT THERETO

Section 3. Section 1 of the Prior Ordinance is amended to read as follows:

"Section 1. The sum of ~~\$750,000~~ **\$997,500** is appropriated for the planning, design, acquisition, and construction of (i) a water main on Lawler Lane from the existing Norwich Public Utilities water main on Canterbury Turnpike and Lawler Lane, (ii) a water main on Sunrise Street and Evergreen Street looping back onto Canterbury Turnpike, and (iii) service lines from the new mains to the premises currently served by the Countryside Drive Association community well system which will be abandoned as part of the project, including, but not limited to, all site work, easements, land acquisition, materials, installation and

deployment costs, and such additional improvements as may be accomplished within said appropriation provided herein, and including all administration, advertising, printing, legal, and financing costs (hereafter the “Project”) as shall be determined by the Norwich Department of Public Utilities (the “Department”). Said appropriation shall be inclusive of state and federal grants in aid thereof. The Department is authorized to enter into contracts, expend the appropriation and implement the Project herein authorized.”

Section 4. Section 2 of the Prior Ordinance is amended to read as follows:

“Section 2. The estimated useful life of the Project is twenty years. The total estimated cost of the Project is ~~\$997,500~~ \$750,000. ~~\$997,500~~ \$750,000 of the total Project cost is estimated to be financed by or through **a combination of (i) the State of Connecticut pursuant to its Clean Water Fund Program (as hereinafter defined), through grants and a subsidized interest loan, (ii) other state and federal grants, and (iii) additional moneys from the City or the Department.** The Project is a general benefit to the City of Norwich and its general governmental purposes.”

Section 5. Subsection (iii) [third sentence] and (v) of Section 3 of the Prior Ordinance are amended to read as follows:

“(iii) . . . The City may issue Clean Water Fund Obligations in one or more series and in such denominations as the Issuer Officials shall determine, provided that the total of all such Clean Water Fund Obligations, bonds and notes issued and appropriation expended pursuant to this ordinance shall not exceed ~~\$997,500~~ \$750,000. . . .”

“(v) any combination of bonds, temporary notes, notes, or obligations as set forth in the preceding subsections may be issued, provided that the total, aggregate principal amount thereof outstanding, and including the amount of grant funding obtained pursuant to a Project Grant and Project Loan Agreement, at any time shall not exceed ~~\$997,500~~ \$750,000.”

Section 6. The amount of \$997,500 is substituted for the amount \$750,000 in the Prior Ordinance unless otherwise provided herein.

Section 7. The City Clerk shall cause an ordinance incorporating all amendments into one complete text to be prepared, labeled “As Amended” at the top, and filed with the minutes of the Meeting at which the Amending Ordinance is adopted.

Section 8. This Amending Ordinance shall be effective upon adoption by the City Council and its approval by the Board.

AS AMENDED

AN ORDINANCE APPROPRIATING \$997,500 FOR THE PLANNING, ACQUISITION, AND CONSTRUCTION OF A WATER MAIN AND SERVICE LINES FOR THE COUNTRYSIDE DRIVE ASSOCIATION AND AUTHORIZING THE ISSUANCE OF \$997,500 REVENUE BONDS OF THE CITY SECURED SOLELY BY WATER REVENUE TO MEET SAID APPROPRIATION, AND AUTHORIZING THE CITY AND DEPARTMENT OF PUBLIC UTILITIES TO ENTER INTO GRANT AND LOAN AGREEMENTS AND A JOINT RESOLUTION WITH THE STATE OF CONNECTICUT WITH RESPECT THERETO

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH:

Section 1. The sum of \$997,500 is appropriated for the planning, design, acquisition, and construction of (i) a water main on Lawler Lane from the existing Norwich Public Utilities water main on Canterbury Turnpike and Lawler Lane, (ii) a water main on Sunrise Street and Evergreen Street looping back onto Canterbury Turnpike, and (iii) service lines from the new mains to the premises currently served by the Countryside Drive Association community well system which will be abandoned as part of the project, including, but not limited to, all site work, easements, land acquisition, materials, installation and deployment costs, and such additional improvements as may be accomplished within said appropriation provided herein, and including all administration, advertising, printing, legal, and financing costs (hereafter the “Project”) as shall be determined by the Norwich Department of Public Utilities (the “Department”). Said appropriation shall be inclusive of state and federal grants in aid thereof. The Department is authorized to enter into contracts, expend the appropriation and implement the Project herein authorized.

Section 2. The estimated useful life of the Project is twenty years. The total estimated cost of the Project is \$997,500. \$997,500 of the total Project cost is estimated to be financed by or through a combination of (i) the State of Connecticut pursuant to its Clean Water Fund Program (as hereinafter defined), through grants and a subsidized interest loan, (ii) other state and federal grants, and (iii) additional moneys from the City or the Department. The Project is a general benefit to the City of Norwich and its general governmental purposes.

Section 3. To meet said appropriation:

(i) Bonds of the City or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date (or such longer term as may be authorized). Said bonds may be issued in one or more series as determined by the City Manager, the Comptroller - acting on behalf of the City herein - and General Manager City of Norwich Department of Public Utilities - acting on behalf of the Department and the Board of Public Utilities Commissioners (hereafter the “Board”) herein - (the “Issuer Officials”) and the amount of bonds of each series to be issued shall be fixed by the Issuer Officials in the amount necessary to meet the Issuer’s share of the cost of the Project determined after considering the estimated amount of the State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the

anticipated times of the receipt of the proceeds thereof, 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 be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Issuer and such combined issue shall be in the denomination per aggregate maturity 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 facsimile or manual signatures of the Issuer Officials bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Issuer Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Issuer Officials and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the Issuer Officials. The issuance of such bonds in one or more series, the aggregate principal amount of bonds to be issued, the 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 Issuer Officials, in accordance with the Joint Resolution. In the case of Parity Indebtedness as defined in the Joint Resolution between the City of Norwich and the Board (as hereinafter defined as the "Joint Resolution"), the Issuer Officials, shall also determine the revenues and property to be pledged for payment of such Parity Indebtedness; or

(ii) Temporary notes of the City may be issued in one or more series pursuant to Section 7-244a of the General Statutes of Connecticut, as amended. The amount of such notes to be issued, if any, shall be determined by the Issuer Officials, and they are hereby authorized to determine the date, maturity, interest rate, form and other details and particulars of such notes, and to sell, execute and deliver the same; or

(iii) Interim funding obligations and project loan obligations or any other obligations of the City (hereinafter "Clean Water Fund Obligations") evidencing an obligation to repay any portion of the costs of the Project determined by the State of Connecticut Department of Environmental Protection, Public Health or other department as applicable to be eligible for funding under Section 22a-475 et seq. of the Connecticut General Statutes, as the same may be amended from time to time (the "Clean Water Fund Program"). The General Manager City of Norwich Department of Public Utilities (the "General Manager") is authorized in the name and on behalf of the City and the Board to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the Department with engineers, contractors and others. The City may issue Clean Water Fund Obligations in one or more series and in such denominations as the Issuer Officials shall determine, provided that the total of all such Clean Water Fund Obligations, bonds and notes issued and appropriation expended pursuant to this ordinance shall not exceed \$997,500. The Issuer Officials are hereby authorized to determine the amount, date, maturity, interest rate, form and other details and particulars of such interim funding obligations and project loan obligations, subject to the provisions of the Clean Water Fund Program, and to execute and deliver the same. Clean

Water Fund Obligations shall be secured solely from a pledge of water system revenues;
or

(iv) Promissory notes, bonds or other obligations made payable to the United States of America to meet any portion of the costs of the Project determined by the federal government, including acting through the Rural Utility Service of the United States Department of Agriculture (“USDA”) or other federal program or agency, to be eligible for loan and/or grant monies; or

(v) Any combination of bonds, temporary notes, notes, or obligations as set forth in the preceding subsections may be issued, provided that the total, aggregate principal amount thereof outstanding, and including the amount of grant funding obtained pursuant to a Project Grant and Project Loan Agreement, at any time shall not exceed \$997,500.

Section 4.

(i) Bonds, temporary notes, or water assessment notes, Clean Water Fund Obligations and federal obligations all as set forth in Section 3 are hereafter referred to as “Bonds.” The Bonds shall be water revenue bonds of the City, the payment of principal and interest on which shall be secured solely by revenues derived from the operation of the water system, including use charges, connection charges, benefit assessments or any combination thereof, investment income derived there from, or other property of the water system or revenue derived from the operation of the water system in accordance with the Joint Resolution. Each of the Bonds shall recite to the effect 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 such Bond does not constitute a general obligation of the City for which its full faith and credit is pledged, and that such Bond is payable solely from revenues, assessments, charges or property of the water system specifically pledged therefore.

(ii) The bonds authorized to be issued by Section 3 shall be, issued and secured pursuant to the Joint Resolution approved by the City Council on August 7, 2000, and the Board on July 17, 2000, as amended, and as supplemented by various supplemental Resolutions adopted pursuant to the Joint Resolution, and which is hereby ratified, confirmed and approved in its entirety, including without limitation, the rate and revenue covenants therein. The Board irrevocably agrees to comply with the provisions of the Joint Resolution, including Supplemental Resolutions, including but not limited to: to set, establish and collect and maintain rates and revenue as necessary to continually comply with the terms, conditions and covenants of the General Resolution. The City irrevocably agrees to comply with the provisions of the General Resolution. In order to implement the provisions of the Joint Resolution the City and the Board may enter into an indenture of trust with a bank and trust company which indenture may contain provisions customarily included in revenue bond financings, including provisions of a similar nature to those in the Joint Resolution and which are necessary, convenient or advisable in connection with the issuance of the Bonds and their marketability. The Issuer Officials are hereby authorized to execute and deliver on behalf of the City and the Board an indenture in such

final form and containing such terms and conditions as they shall approve, and their signatures on any such indenture shall be conclusive evidence of their approval as authorized hereby.

(iii) The Issuer Officials on behalf of the City and the Board are authorized to agree to additional terms and to delete or change existing terms and otherwise amend the form of Joint Resolution in order to obtain State or federal funding, provide better security for the bonds, correct any matter, cure any ambiguity or defect or otherwise benefit the Issuer in their judgment. Such additional or different terms may include restrictions on the use of water funds or fund balance or water operations, coverage ratios, additional or changed reserve requirements, identification and pledge of revenues securing the Bonds, providing for the form of the Bonds, conditions precedent to the issuance of Bonds and additional Bonds, the establishment and maintenance of funds and the use and disposition there from, including but not limited to accounts for the payment of debt service, the payment of operating expenses, debt service reserve and other reserve accounts, providing for the issuance of subordinated indebtedness, defining an event of default and providing for the allocation of revenues in such event, credit enhancement, providing for a pledge and allocation of water revenues to pay for obligations issued by third parties, and provisions of a similar and different nature to those in the Joint Resolution and which are necessary, convenient or advisable in connection with the issuance of the Bonds and their marketability, and to obtain the benefits of any state or federal grant or low interest loan program, including but not limited to the Clean Water Fund and Federal Department of Agriculture Programs. The Issuer Officials are hereby authorized, in addition to the General Resolution, to execute and deliver on behalf of the Issuer and the Board an indenture of trust in such final form and containing such terms and conditions as they shall approve, and their signatures on any such indenture shall be conclusive evidence of their approval as authorized hereby.

Section 5. 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 6. Said Bonds shall be sold by the Issuer Officials in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the Bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest not or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the Bonds are sold by negotiation, the Issuer Officials, are authorized to execute a purchase agreement on behalf of the City and Board containing such terms and conditions as they deem appropriate and not inconsistent with this Ordinance.

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City of Norwich (the "Issuer") hereby expresses its official intent pursuant to section 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 Resolution 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 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, and General Manager City of Norwich Department of Public Utilities or their designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 8. It is hereby found and determined that it is in the public interest to issue 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. The Issuer Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal government pursuant to law, including but not limited to any “tax credit bond,” or “tax advantaged bond”.

Section 9. The General Manager is authorized on behalf of the Board and the City to enter into a loan and subsidy agreement and such other contracts and agreements necessary to implement the Project herein authorized, including, but not limited to, any water service or benefit assessment agreement with a maximum term of not more than 20 years, with such additions, revisions and deletions as in his judgment are in the best interest of the Board and the City, including the addition of information, completion of schedules, or such other changes as may facilitate the Project and its financing.

Section 10. This Ordinance shall be effective upon adoption by the City Council and its approval by the Board.

Mayor Peter Albert Nystrom