



CITY OF NORWICH
CONNECTICUT

AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH

Kelly STEAM Magnet Middle School

25 Mahan Drive, Norwich

OCTOBER 17, 2022

7:30 pm

The meeting will be televised on the Public Access Channel 14 and posted on the city website, www.norwichct.org, in real time.

PRAYER

PLEDGE OF ALLEGIANCE

PROCLAMATIONS:

1. Eagle Scout John G. Jerolis 3rd with Palms
2. Chelsea Groton Foundation, Inc.

CITIZEN COMMENT GENERAL (30 Minutes)

PETITION AND COMMUNICATION

1. Resignation letter of Julie Feindt Cagle from the Recreation Advisory Board.

CITY MANAGER'S REPORT

CITIZENS COMMENT ON RESOLUTIONS

NEW BUSINESS-RESOLUTIONS

1. Relative to transfer property off Bromley Lane from the City of Norwich to Norwich Community Development Agency.
2. Relative to amend the employment agreement between John Salomone and the City of Norwich.
3. Relative to the acceptance of and identification of the local match for a Building Resilient Infrastructure and Communities (BRIC) scoping Grant for the City of Norwich Upper Falls Dam Project Scoping.

NEW BUSINESS-ORDINANCES – [Please click on blue link to view documents](#)

1. [AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NORWICH](#)
2. AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 20 OF THE CODE OF ORDINANCES BY ESTABLISHING A HEARING PROCEDURE FOR PARKING VIOLATIONS

EXECUTIVE SESSION: Property Acquisition/Disposition


City Clerk



City Of Norwich

Mayors Office

Peter Albert Nystrom, Mayor

PROCLAMATION

WHEREAS, **Eagle Scout** is the highest rank attainable in the Boy Scouts of America (BSA) and since its introduction in 1911, the Eagle Scout rank has been earned by more than 2 million young men, with the title of Eagle Scout being held for life, thus giving rise to the phrase "Once an Eagle, always an Eagle"; and

WHEREAS, requirements for earning the rank of Eagle Scout include earning at least 21 merit badges and demonstrating Scout Spirit, **John G. Jerolis 3rd** has earned 26 merit badges and a Palm, as a member of Troop 4; and

WHEREAS, **John G. Jerolis 3rd** has risen through the ranks from, a Tiger Scout to the Order of the Arrow with Pack 17 and crossed over to Troop 4; and

WHEREAS, **John G. Jerolis 3rd** shows his Scout Spirit through his chosen project, he replaced the left fence around the Colonial Garden at Leffingwell House Museum; and

WHEREAS, **John G. Jerolis 3rd** fundraising was so successful that he had a balance of \$446.00 that was presented to Leffingwell House Museum on July 4th; and

WHEREAS, **John G. Jerolis 3rd** has two sisters, one older one younger who is in Troop 15G in Franklin and an older brother who served our country as a veteran serving in Iraq, his grandparents are very active in his Scouting career; and

WHEREAS, **John G. Jerolis 3rd** graduated from high school in May and plans to attend college next fall for his degree in Computer Science, we wish him well.

NOW THEREFORE, I, MAYOR PETER ALBERT NYSTROM AND NORWICH CITY COUNCIL PRESIDENT PRO TEM, JOSEPH A. DELUCIA, ON BEHALF OF THE NORWICH CITY COUNCIL AND THE CITIZENS OF THE CITY OF NORWICH, do hereby congratulate **John G. Jerolis 3rd** on his impressive record and on his achieving the rank of Eagle Scout with a Palm.

Dated this First day of October, 2022

Peter Albert Nystrom
Mayor

Joseph A. DeLucia
President Pro Tem



City Of Norwich

Mayors Office

Peter Albert Nystrom, Mayor

PROCLAMATION

WHEREAS, **Chelsea Groton Foundation, Inc.** was established in 1998 as a Section 501(c) (3) organization, initially endowed with a \$2 million dollar donation from Chelsea Groton Bank, the Foundation has awarded over \$5 million in grants to non-profit organizations; and

WHEREAS, **Chelsea Groton Foundation** presented a grant donation to Global City Norwich, to be used specifically for assisting multicultural entrepreneurs and small business owners who are interested in occupying storefront spaces in the Downtown area, or who currently own businesses and are looking to grow; and

WHEREAS, in their role as a major bank of Norwich, **Chelsea Groton Foundation**, through the leadership of Michael Rauh has continually supported program's in the Rose City for the betterment of all of us and our children; and

WHEREAS, **Chelsea Groton Foundation** has a vision to bring multicultural enterprises to the downtown to fill the storefronts with ethnic entrepreneurs, to educate them in business practices and connect them with business resources; and

WHEREAS, **Chelsea Groton Foundation** whose mission is to support the ongoing commitment in partnership for the long-term growth of our community; and

WHEREAS, since 2018, Global City Norwich has brought multiple cultures and communities together for festivals for the Haitians, Cape Verdeans, Polish, Peruvians, Puerto Ricans, Dominican and flag raising ceremonies, for the Greeks, Sikh, Juneteenth, Peruvian, Ukrainian, Haitians, and Pakistani, to attract residents and visitors of Norwich to the Downtown area; and

WHEREAS, the Rose City thanks **Chelsea Groton Foundation** and Michael Rauh for their dedication to Norwich and our residents and for bringing their vision to Norwich.

NOW THEREFORE, I, MAYOR PETER ALBERT NYSTROM AND NORWICH CITY COUNCIL PRESIDENT PRO TEM, JOSEPH A. DELUCIA, ON BEHALF OF THE NORWICH CITY COUNCIL AND THE CITIZENS OF THE CITY OF NORWICH, do hereby thank **Chelsea Groton Foundation** on their impressive work and on their commitment to the City of Norwich.

Dated this Seventeenth day of October, 2022

Peter Albert Nystrom
Mayor

Joseph A. DeLucia
President Pro Tem

RESOLUTION #1

WHEREAS, the City of Norwich is the owner of two (2) small parcels of land adjacent to Bromley Lane in Norwich which land is included within land comprising the proposed Business Park North being developed by the Norwich Community Development Corporation; and

WHEERAS, the property to be conveyed was previously conveyed by the Norwich Community Corporation to the City of Norwich by deed dated June 7, 2007 and recorded in Volume 2389 Page 312 of the Norwich Land Records, a copy of the legal description of the land being attached hereto as Exhibit A, and a plan depicting the same shown as Exhibit B; and

WHEREAS, the property was acquired by the Norwich Community Development Corporation to facilitate the development of the proposed for the Byron Brook Country Club, the development of which was not achieved, the Norwich Community Development Corporation thereafter conveying the property to the City of Norwich in 2007 to be held for future development; and

WHEREAS, conveyance of the property to aid in the development of Business Park North is consistent with the purpose for which the City of Norwich has held this property; and

WHERAS, it is in the best interest of the City of Norwich to convey this property to the Norwich Community Development Corporation to assist in the development of Business Park North.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the conveyance of the land described herein by the City of Norwich to the Norwich Community Development Corporation be approved 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 execute a quit-claim deed of the subject property to the Norwich Community Development Corporation and to enter into and sign on behalf of the City of Norwich, such other documents as are necessary to effectuate the transfer of said property.

Mayor Peter Albert Nystrom
Alderman Stacy Gould
Alderman Derell Q. Wilson

City of Norwich -

Exhibit "A"

Two (2) certain tracts or parcels of land situated in the City of Norwich, County of New London and State of Connecticut, and bounded and described as follows:

TRACT ONE: BEGINNING at a point in the southerly line of Bromley Lane at land now or formerly of Mike Nemczuk and thence proceeding southeasterly abutting northeasterly on said Nemczuk land to the northerly line of Connecticut Turnpike; thence westerly along the northerly line of the Connecticut Turnpike 370 feet, more or less, to other land of said Nemczuk; thence northeasterly along said other land of Nemczuk and the southerly line of Bromley Lane to the point of beginning.

Being the same premises conveyed to this Releasor by deed recorded in Volume 1137, Page 182, Norwich Land Records.

TRACT TWO: A tract of land situated on the easterly side of Canterbury Turnpike, beginning at the northwesterly corner of land now or formerly of Donald and Paul Nemczuk; thence running northerly by said Turnpike 80 feet to a point to land now or formerly of Estate of Harry Gould; thence running easterly about 690 feet along said Gould's land to a point of a Connecticut Light & Power Co. right of way; thence running southerly by said right of way 200 feet to the northerly side of Bromley Lane; thence running westerly by the northerly side of Bromley Lane, about 245 feet to a point, to land now or formerly of Donald and Paul Nemczuk; thence running northerly about 143 feet to a point; thence running northerly now or formerly by said Nemczuk land, about 580 feet to Canterbury Turnpike, to the point of beginning. The width of land between Donald and Paul Nemczuk and the Estate of Harry Gould is 60 feet wide, running to Canterbury Turnpike about 580 feet.

Being the same premises conveyed to this Releasor by deed recorded in Volume 1137, Page 182, Norwich Land Records.

Being the same two parcels shown as land "N/F Norwich Community Development Corporation, Inc., 455 Canterbury Turnpike, Map ID 25/1/2, Volume 1137 Page 181" on a certain survey map to be recorded in the Norwich Land Records entitled Property Survey 439 Canterbury Turnpike & Taftville-Occum Road, Norwich, CT Gould Parcels, Prepared for M&A Holdings, LLC, dated January 30, 2006. Revised 6/13/06 Scale: 1"=100', Sheet C 2.0 under seal of Robert F. Beaman, Land Surveyor."

RESOLUTION #2

To amend the employment agreement between John Salomone and the City of Norwich.

WHEREAS, John Salomone is presently employed by the Council of the City of Norwich (“Council”) as City Management pursuant to the terms of an agreement made effective February 1, 2016 and later amended on May 20, 2019; and

WHEREAS, the Council is satisfied with the performance of John Salomone and wishes to enhance his benefits to encourage him to continue to serve as City Manager beyond December 31, 2022; and

WHEREAS, such benefit enhancements are similar to the benefits offered to other non-union department heads.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that City Manager John Salomone be granted the following benefit enhancements:

1. Increase annual vacation from four weeks to five weeks; and
2. Allow the carryover of up to one week of vacation time to the following year; and
3. Upon retiring from his role as City Manager of the City of Norwich:
 - a. The City shall pay for premiums on a \$100,000 life insurance policy, and
 - b. The City shall pay out any unused vacation time, and
 - c. The City shall pay out up to 20 days of unused sick time.

Mayor Peter A. Nystrom
Alderman Stacy Gould
Alderman Derell Q. Wilson

RESOLUTION #3

Relative to the acceptance of and identification of the local match for a Building Resilient Infrastructure and Communities (BRIC) scoping Grant for the City of Norwich Upper Falls Dam Project Scoping.

WHEREAS, the Norwich Public Works Department applied for and was awarded a Building Resilient Infrastructure and Communities (BRIC) scoping Grant for the Upper Falls Dam Project Scoping from the Federal Emergency Management Agency of the Department of Homeland Security in the amount of \$44,800 for the project scoping,

WHEREAS, the BRIC grant requires a local match of \$14,000.00; and

WHEREAS, the items and activities to be funded by the Grant and local match should not give rise to an increase in annual operating costs.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the City Manager and Comptroller be, and hereby are authorized and directed to execute and deliver any and all documents necessary to accept the BRIC award on behalf of the City of Norwich and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the local match be funded with \$14,000.00 from the 2022-23 Norwich Public Works Department Engineering Professional Services line item (10430500-53010).

Mayor Peter Albert Nystrom
Aldерwoman Stacy Gould
Alderman Derell Q. Wilson

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NORWICH

[Please click on blue link to view complete documents](#)

ORDINANCE CREATING BUSINESS MASTER PLAN DISTRICT

[Complete Business Master Plan documents](#)

An ordinance amending the zoning map of the City of Norwich. Accompanying the zoning ordinance of the City of Norwich by changing those tracks or parcels of land known as

527 Scotland Rd
253 Lawler Lane
207 Lawler Lane
Lawler Lane Rear
432 Canterbury Turnpike
Bromley Lane
180 Lawler Lane
300 Canterbury Turnpike Rear
431 Canterbury Turnpike 431
Canterbury Turnpike Rear 461
Canterbury Turnpike
83 Taftville-Occum Road 97
Taftville-Occum Road 105
Taftville-Occum Road 111
Taftville-Occum Road 16
School Avenue

as shown on a certain map entitled “Zoning Location Survey “Zoning Map Amendment” Prepared for Norwich Community Development Corporation, Taftville-Occum Road, Canterbury Turnpike, Old Canterbury Turnpike, Lawler Lane & Interstate 395, Norwich, Connecticut, Boundaries, LLC, Date August 2022, Scale 1”=200’, Sheets 1 of 2 and 2 of 2.

All of the properties on the above stated map to be changed from PDD and GC to the Business Master Plan District (BMPD).

That the following map of the City of Norwich accompanying the Zoning Ordinance of the City of Norwich be and the same is hereby amended so that the tracts or parcels of land showing on the above stated map be changed from GC or PDD as the case may be to BMPD.

Legal description is attached hereto.

Purpose of Change: The purpose of establishing the Business Master Plan District, which is a floating zone which is established by approval of a Master Plan, is to create a new business park on approximately 384 acres of land comprising an assemblage of 17 parcels of land. The 17 parcels are presently zoned either PDD or GC. The present business park serving the City has virtually no more space available to provide opportunities for new business. Creating a new business park will enable Norwich to attract business within the uses set forth in the BMPD, which will then generate employment opportunities, generate real estate and personal property taxes, and utility revenue for the expansion of electric and gas service to the business park.

Dated at Norwich, Connecticut this 15 day of September, 2022

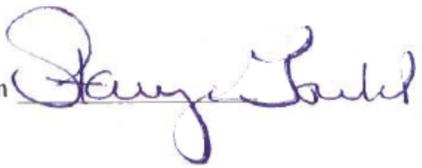
THE APPLICANT

By


Kevin Brown, President

Submitted by Alderman

By request



Mayor Peter Albert Nystrom
Alderwoman Stacy Gould

AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 20 OF THE CODE OF ORDINANCES BY ESTABLISHING A HEARING PROCEDURE FOR PARKING VIOLATIONS

WHEREAS, Section 7-152b of the Connecticut General Statutes provides a hearing procedure of parking violations which Connecticut municipalities may adopt by local ordinance; and

WHEREAS, the adoption of such a hearing procedure enables municipalities to use the judicial process to collect on delinquent parking violations which should, in turn, improve the collections for delinquent parking violations.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that the following sections be added or amended in Article II of Chapter 20 of the Code of Ordinances:

Sec. 20-19. Same—Fines and penalties.

Each owner or operator receiving a notice provided in section 20-18 ~~may pay to the public parking commission personally or by mail~~ shall pay as a penalty for and in full satisfaction of such violation the following sums:

- (a) Obstructing driveway \$25.00
- (b) Parking too far from curb \$15.00
- (c) Parking too close to corner \$15.00
- (d) Double parking \$25.00
- (e) Parking on wrong side of street \$15.00
- (f) Parking in crosswalk \$15.00
- (g) Parking too close to fire hydrant \$25.00
- (h) Violation of snow regulations \$25.00
- (i) Parking in handicapped zone \$100.00
- (j) Parking in fire zone \$25.00
- (k) Parking in posted no parking zone \$15.00
- (l) Overtime parking \$5.00
- (m) Parking at bus stop, taxi stand or loading zone \$15.00
- (n) Parking on sidewalk \$15.00
- (o) Parking in intersection \$15.00
- (p) Obstructing traffic \$25.00
- (q) Left wheel to curb \$15.00
- (r) Other \$15.00

The failure of such owner or operator to make such payment to said commission within 14 days shall render ~~him~~ them liable to payment of double the above fines.

The failure of such owner or operator to make such payment to said commission within 30 days shall render ~~him~~ them liable to the penalty provided by the Connecticut General Statutes for ~~infractions~~ violations.

Any convenience fees or other collection costs may be passed onto such owner or operator by the commission.

[The current language of Sec. 20-21 regarding prima facie evidence shall be replaced as follows:]

Sec. 20-24. Hearing procedure for parking violations

Pursuant to §§ 7-148, 7-152b, and 14-305 to 14-308, inclusive, of the Connecticut General Statutes, the city enacts the hearing procedure for parking violations described herein.

a) Hearing officers. The parking commission shall appoint one or more parking violation hearing officers to conduct hearings for parking violations. Such hearing officers cannot be personnel who are authorized to issue such violations or who otherwise work for the police department or parking commission.

b) Notice of violation. Within two years from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any alleged parking violation, the city shall send notice to the motor vehicle operator, if known, or the registered owner of the motor vehicle by first class mail at their address according to the registration records of the Department of Motor Vehicles or by electronic mail, if the operator or owner's electronic mail address is known. Such notice shall inform the operator or owner:

i) of the allegations against them and the amount of the fines, penalties, costs or fees due;

ii) that they may contest their liability before a parking violations hearing officer by delivering in person, by electronic mail or by mail written notice within 10 days of the date thereof;

iii) that if they do not demand such a hearing, an assessment and judgment shall enter against them; and

iv) that such judgment may issue without further notice.

c) Proof of liability. Whenever a violation of such an ordinance occurs, proof of the registration number of the motor vehicle involved shall be prima facie evidence in all proceedings provided for in this section that the owner of such vehicle was the operator thereof; provided, the liability of a lessee under section 14-107 shall apply.

d) Admission of liability. If the person who is sent notice pursuant to subsection (b) of this section wishes to admit liability for any alleged violation, such person may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by the city. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not demand a hearing within 10 days of the date of the first notice provided for in subsection (b) of this section shall be deemed to have admitted liability, and the designated official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (f) of this section.

e) Hearing procedure.

i) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 days nor more than 30 days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by a police officer or other issuing officer shall be filed and retained by the city, be deemed to be a business record within the scope of section 52-180 and be evidence of the facts contained therein. The presence of the police officer or issuing officer shall be required at the hearing if such person so requests. A person wishing to contest their liability shall appear at the hearing in person or by means of electronic equipment, and may present evidence in their behalf. A designated official, other than the hearing officer, may present evidence on behalf of the city.

ii) If such person fails to appear, the hearing officer may enter an assessment by default against them upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, Department of Motor Vehicles documents and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce their decision at the end of the hearing. If the hearing officer determines that the person is not liable, they shall dismiss the matter and enter their determination in writing accordingly. If the hearing officer determines that the person is liable for the violation, they shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the city.

f) Notice of assessment and judgment. If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than 30 days or more than 12 months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with an entry fee of \$8.00. The certified copy of the notice of assessment shall constitute a record of assessment. Within such 12-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of \$8.00, against such person in favor of the city. Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

g) Appeal. A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to section 52-259, at the Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

Purpose:

To establish a hearing procedure for parking violations to enable the use of the judicial process to collect on delinquent parking violations which should, in turn, improve the collections for delinquent parking violations.

Mayor Peter Albert Nystrom
Alderwoman Stacy Gould
Alderman Derell Q. Wilson