

The regular meeting of the Council of the City of Norwich was held July 5, 2022 at 7:30 PM in Council Chambers. Present: Mayor Nystrom, President Pro Tem DeLucia, Ald. Neuendorf, Gould, Singh, Burto and Wilson. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

President Pro Tem DeLucia read the opening prayer and Ald. Singh led the members in the Pledge of Allegiance.

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

Upon a motion of Ald. Wilson, seconded by Ald. Burto, on a roll call vote it was unanimously voted to adopt the minutes of June 6 and 20, 2022.

Mayor Nystrom called for the following public hearing on participation in a Cost Sharing Program with The City of Norwich to construct concrete sidewalks.

Speaking in favor: There were no speakers.

Speaking in opposition: There were no speakers.

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

Upon a motion of Ald. Burto, seconded by Ald. Gould, on a roll call vote it was unanimously voted to accept the following report.



MICHAEL E. JEWELL
ATTORNEY AT LAW
601 SCOTLAND ROAD
NORWICH, CONNECTICUT 06360
TEL. (860) 608-7791
EMAIL: mejewellesq@sbcglobal.net

June 18, 2022

Mayor Peter Nystrom
100 Broadway, 3rd Floor
Norwich, CT 06360

SENT VIA EMAIL ONLY

Re: Resignation Norwich Baseball Stadium Authority

Dear Mayor Nystrom:

Please accept this as a formal notice of my resignation from the Norwich Baseball Stadium Authority due to my forthcoming move out of Norwich.

It has been a pleasure and a privilege to serve on the NBSA.

Sincerely,

Michael E. Jewell

MEJ/dlj

CC: John L. Salomone, City Manager
Betsy Barrett, Town Clerk
Corporation Counsel, Michael Driscoll
Robert Reed
Sean Ryan
Joseph Fratoni

TOWN CITY CLERK
NORWICH CT

2022 JUN 23 P 12: 58

RECEIVED

Upon a motion of Ald. Singh, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to accept the following report.

DATE: June 13, 2022
TO: Betsy Barrett, City Clerk
City of Norwich
100 Broadway
Norwich, CT 06360

RE: Resignation from IWWCC

Please accept this letter as my formal resignation from the City of Norwich Inland Wetlands Watercourses and Conservation Commission. I have enjoyed the almost 19 years that I have volunteered on the board, but find that I am no longer able to serve.

I appreciate the opportunity to have assisted my community in this capacity.

Sincerely,


Robert McCoy

RECEIVED
2022 JUN 24 A 11: 07
TOWN CITY CLERK
NORWICH CT

Upon a motion of Ald. Wilson, seconded by Ald. Gould, on a roll call vote it was unanimously voted to accept the following report.

MEMORANDUM

DATE: 6/20/2022

TO: Betsy Barrett - City Clerk
City of Norwich, Connecticut

FROM: President Pro Tem Joseph A. DeLucia - Chairman
Public Works/CIC Committee

CC: Peter A. Nystrom - Mayor
City of Norwich

Esteemed Alderpersons
Norwich City Council

Re: Record of vote on a recommendation to the City Council regarding the Complete Streets Policy for the City of Norwich

RECEIVED
 2022 JUN 21 A 11:03
 TOWN CITY CLERK
 NORWICH CT



The Public Works/CIC Sub-committee of the City Council held its regular meeting on June 20, 2022 to take up the Complete Streets Policy for the City of Norwich.

Present were President Pro Tem Joseph A. DeLucia, Alderwoman Stacy Gould, and Alderman Swarnjit Singh, as was the Director of Public Works and the City Engineer. After discussion by the members the following motion was made by Alderwoman Gould and seconded by Alderman Singh;

"That the Public Works/CIC Committee forward a favorable recommendation to the City Council regarding the implementation of the Complete Streets Policy - City of Norwich (attached).

The vote was called for by the Chair, and recorded as 3-0 in the affirmative.

[Complete Streets Policy](#)

CITY MANAGERS REPORT

To: Mayor Nystrom and members of the City Council
From: John Salomone, City Manager
Subject: City Manager's Report
Date: July 5, 2022

Meetings attended were Southeastern Council of Governments (SECCOG), Southeastern Area Transit (SEAT), Connecticut Interlocal Risk Management Agency (CIRMA), NPU-City Coordination Meeting, State of the City Address, Fire Chiefs Meeting, the AARP Informational, and the State's Public Information Meeting concerning the proposed Safety Improvements on Route 82. The meeting can be viewed at <https://portal.ct.gov/DOTNorwich103-274>. The State has a webpage dedicated to the project.

On Thursday afternoon, June 30, there was a fire at the City's Transfer Station. The fire destroyed the Recycling Processing Building, which the City's Contractor (Casella) operates. There were no injuries, and the Transfer Station is expected to re-open on Tuesday July 5th, after being closed on July 1st & 2nd. The fire did not affect the citywide trash and recycling collection.

The City's paving Contractor Charles Pasteryak Jr. Inc., is currently working on roads in Norwichtown, including the section of Connecticut Avenue from Wisconsin Avenue to Vergason Avenue. The Sherman Street Bridges were closed on June 27th as scheduled.

Thank you to the Rose Art Festival Committee and volunteers and our Public Works Department for their extra efforts for this wonderful community event that was held on June 25th. The Public Works Department provided extensive resources including the stage, temporary fencing, trash and recycling receptacles, extension cords, and traffic control devices such as barricades and no parking signs.

July tax bills are now due and payments can be paid until August 1nd, 2022 without interest. The Tax Office is open Monday through Friday and no appointment is needed. Payments can be paid in person, online, through the mail or at any Norwich People's United Bank.

Griffin Health held COVID-19 vaccination clinics at Brown Park last week and hope to offer more during the upcoming months.

The Summer Concert series starts July 6th with Rock the Docks at Brown Park. Thank you to the Greater Norwich Area Chamber of Commerce and sponsors. The Norwich Farmers Market also starts Wednesday, July 6th and will run until October 26th at Brown Park.

Thank you to the Norwich Events Organization and sponsors for the City's annual fireworks celebration to be held Friday, July 8th with a rain date of Sunday, July 10th.

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Mayor Nystrom called for citizen comment on resolutions.

Kevin Brown, President of NCDC, spoke on Resolution #5 and thanked everyone who played a role in attracting this business. He asked for support on this Ordinance.

Mark Block, Counsel for NCDC, stated on Resolution #5 there would be an increase in tax revenue for the City with this business in the Industrial Park.

Mayor Nystrom declared citizen comment closed.

Upon a motion of Ald. Gould, seconded by Ald. Singh, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, President Pro Tem DeLucia and Ald. Gould.

RESOLUTION

WHEREAS, the property owners listed below want to participate in a cost sharing program with the City of Norwich to construct concrete sidewalks along their property; and

WHEREAS, the City of Norwich wants to improve sidewalks throughout the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that: granite curbing and concrete sidewalks will be constructed at the following locations where the property owners will pay for an assessment for the cost of the sidewalks and the City of Norwich will pay for the cost of the curbing and miscellaneous items.

Name	Address	Estimate
Dallas Miller	61 Williams Street	\$6,702.84
George and Colleen Hardison	308 Boswell Avenue	\$4,525.00
Heather and Paul McKinney	21 Oak Street	\$3,704.40
Regan Miner	2 Town Street	\$14,534.42

BE IT FURTHER RESOLVED that the cost of this project be funded from the existing capital budget line item for sidewalks, Capital Improvement Fund #3602 and the Sidewalk Fund, #2858.

The estimated city’s cost for curbing and miscellaneous construction items is \$ 16,218.00

Upon a motion of Ald. Singh, seconded by Ald. Gould, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, President Pro Tem DeLucia and Ald. Gould.

WHEREAS, the City of Norwich and the Lamar Company of Connecticut, LLC now doing business as Lamar Central Outdoor, LLC (“Lamar”) entered into a Transit Shelter Agreement to run through September 30, 2022; and

WHEREAS, the Agreement called for Lamar to propose transit shelter locations for the city’s approval and install not less than ten (10) transit shelters at mutually agreeable locations using a transit shelter package acceptable to the city for each shelter and to maintain such shelters; and

WHEREAS, the transit shelters remain the sole property of Lamar and, with certain exceptions, were not to be removed during the term of the Agreement or any renewal without the written consent of the city; and

WHEREAS, Lamar seeks to terminate the Agreement early and to convey ownership of all of its transit shelters which are subject to the terms of the Agreement in “as is” condition to the City of Norwich; and

WHEREAS, Lamar is otherwise obligated to remove the transit shelters upon termination of the Agreement; and

WHEREAS, Exhibit A attached hereto as a draft of a Mutual Release and Termination Agreement as proposed; and

WHEREAS, if the City of Norwich accepts ownership of the transit shelter it will seek a new operator in the advertising business to operate the transit shelters; and

WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to terminate the Agreement with Lamar early and to become the owner of the transit shelters;

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 negotiate a Mutual Release and Termination Agreement satisfactory to him, making such changes to the Mutual Release and Termination Agreement as he may think necessary, to execute said Mutual Release and Termination Agreement, to deliver a fully executed copy to Lamar and to deliver and receive such other documents, letters, or other communications as are necessary to complete this transaction.

[Lamar Transit Shelter Agreement](#)

Upon a motion of Ald. Burto, seconded by Ald. Singh, on a roll call vote it was unanimously voted to put the following resolution introduced by Mayor Nystrom, President Pro Tem DeLucia, Ald. Neuendorf, Gould, Singh, Burto and Wilson on the floor.

RESOLVED, that action on the following list of American Rescue Plan Act allocations tentatively adopted on May 2, 2022, and as amended on May 16, 2022 and again as amended on June 6, 2022, be amended as follows:

Round 2 ARPA Funding

#	<u>Category of requests</u>	<u>Brief Description</u>	<u>Entity</u>	<u>Funding Description</u>	<u>Tentatively adopt by Council</u>
1	Requests from NCDC	Yale Study (Broadway Project)	NCDC	This study will insure Community Engagement in design charrettes to revitalize public outdoor gathering spaces post-pandemic, and create public spaces that are currently in a state of disrepair.	\$ 50,000
2	Public Works	Lower Broadway Complete Streets Improvement	Public Works	Sidewalk expansion and reconfiguration to allow for increased outdoor gathering and dining space in the central city. This area will provide a safe location for pedestrians, patrons, and the general public to enjoy outdoor activities. Businesses and Restaurants on Lower Broadway will have an expanded space to serve customers and the public in a safe manner.	\$150,000
3	Public Works/ Recreation	Armstrong tennis LED Lights & Parking lot/lights	Norwich Human Services / Recreation	Transition halide lights to LED lights on the tennis courts. Also complete the parking lots and lighting at the facility. Add this to Round 1 funded project.	\$195,000
4	Wage request	Records Clerk	City Clerk	Continue to fund wages and fringe for 18 months for Records Clerk which is currently being funded by another revenue source.	\$114,866
5	Wage request	Three Police Officers	Police	Wages & fringe for 18 months for three Police Officers. Add this to Round 1 funded project.	\$615,482

6	Wage request	Fire Inspector	Norwich Fire Department	Wages & fringe for 18 months for Fire Inspector.	\$162,759
7	Wage request	Auto Equipment Mechanic	Public Works	Wages & fringe for 18 months for Auto Equipment Mechanic	\$151,253
8	Wage request	NEW PROPOSAL: Community Engagement/Recreation Program Facilitator	Recreation Dept	Wages & fringe for 18 months. REPLACE HUMAN SERVICES MANAGER WITH THIS PROPOSAL.	\$176,000
9	Wage request	Assistant Zoning & Blight Enforcement Officer	Planning & Neighborhood Services	Wages & fringe for 18 months for Assistant Zoning & Blight Enforcement Officer: PER PLANNING DIRECTOR, THIS IS NOT NEEDED AS THIS TIME.	\$0
10	Public Work, Planning & NS & NCDC	“Parklets” for outside dining	Public Works	Outside dining apparatus to be used seasonally. This would cover the purchase of 8–10 units	\$200,000
11	Other departmental requests	Bridge replacement	Golf Course Authority	Replacement of bridge at the Norwich Golf Course used by Golf carts between holes 9 and 10.	\$200,000
12	Other departmental requests	NFA Slater Roof Project	NFA	Provide funding support to aid with the roof replacement project at NFA.	\$200,000
Total Net Change – Round 2					\$2,215,360

President Pro Tem DeLucia asked to divide the question to remove #8.

8	Wage request	NEW PROPOSAL: Community Engagement/Recreation Program Facilitator	Recreation Dept	Wages & fringe for 18 months. REPLACE HUMAN SERVICES MANAGER WITH THIS PROPOSAL.	\$176,000
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The below Resolution as divided;

RESOLVED, that action on the following list of American Rescue Plan Act allocations tentatively adopted on May 2, 2022, and as amended on May 16, 2022 and again as amended on June 6, 2022, be amended as follows:

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#	<u>Category of requests</u>	<u>Brief Description</u>	<u>Entity</u>	<u>Funding Description</u>	<u>Tentatively adopt by Council</u>
11	Other departmental requests	Bridge replacement	Golf Course Authority	Replacement of bridge at the Norwich Golf Course used by Golf carts between holes 9 and 10.	\$200,000
12	Other departmental requests	NFA Slater Roof Project	NFA	Provide funding support to aid with the roof replacement project at NFA.	\$200,000
Total Net Change – Round 2					\$2,039,360

The above resolution passes on a roll call vote of 7 to 0.

Upon a motion of President Pro Tem DeLucia, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to put postpone the vote on Resolution #3 section #8 until July 18, 2022.

Upon a motion of Ald. Wilson, seconded by President Pro Tem DeLucia, on a roll call vote it was unanimously voted to send a referral to the Appointment & Reappointments Committee on the following resolution introduced by President Pro Tem DeLucia, Ald. Singh, Burto and Wilson on the floor.

WHEREAS, on July 2, 2012 the Norwich City Council created the process for appointments to Boards, Commissions, Committees, Authorities, and Agencies that established the use of an application; and

WHEREAS, in February of 2016 the City of Norwich launched an online application through the City's website; and

WHEREAS, the Appointment & Reappointment Sub-Committee of the Council, consisting of three alderpersons of the Norwich City Council, serves as the vetting and advisory body for various appointments; and

WHEREAS, all appointments and reappointments to Boards, Commissions, Committees, Authorities, or any representation on behalf of the City are subject to approval or acknowledgement by the full Council; and

WHEREAS, establishing a common and standardized process that is both inclusive and fair for all appointments and reappointments to Boards, Commissions, Committees, Authorities, and Agencies in the city of Norwich serves the best interests of the City;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, the following protocols and procedures are hereby established for the Appointment & Reappointment Sub-Committee of the Norwich City Council:

1. All applications will be directly received by the Mayor's Office, City Manager's Office, and Chairperson of the Appoint & Reappoint Sub-Committee of the Council.
2. All new applicants will be granted an interview so long as they meet minimum requirements for consideration.
3. All Reappointments must submit an application to be considered for reappointment.
 - a. The sub-committee may choose to forgo an interview of a reappointment candidate by majority consensus of the Appoint & Reappoint Sub-Committee of the Council.
 - b. Notwithstanding item 3a, reappointments to the Norwich Public Utilities Board of Commissioners, Norwich Board of Assessment Appeals, and the Commission on the City Plan shall be interviewed.
4. All interviews for Council appointments and reappointments will be scheduled by the Mayor's office.
5. The Chairperson of the Appoint & Reappoint Sub-Committee of the Council will set the agenda and send it to the City Clerk's office.
6. The Chairperson of the Appoint & Reappoint Sub-Committee of the Council will submit the minutes of the meeting to the City Clerk's office and the Mayor's office.

Upon a motion of Ald. Singh, seconded by Ald. Gould, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, President Pro Tem DeLucia and Ald. Gould.

WHEREAS, the City of Norwich has received the sum of \$28,838,730 under the American Rescue Plan Act; and

WHEREAS, Council by resolution has authorized the expenditure of \$23,217,996 to date; and

WHEREAS, these funds must be obligated by December 31, 2024; and

WHEREAS the Council of the City of Norwich finds that the following initiative is consistent with the plan objectives of the American Rescue Plan; can be obligated within the time allotted; will promote uses permitted under the appropriate categories of the American Rescue Plan; and that it will be in the best interest of the City of Norwich to appropriate an additional \$1,050,000 to the Norwich Community Development Corporation to be used by it in assisting Solar Seal Architectural, LLC in the renovation and development of property located at 40 Wisconsin Avenue, which will facilitate the location and establishment of Solar Seal’s manufacturing facility at 40 Wisconsin Avenue, bringing new employment and increased tax and utility revenue to the City.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that the sum of \$1,050,000 be appropriated from American Rescue Plan funds and added to funds already appropriated to the Norwich Community Development Corporation, this \$1,050,000 to be used in connection with the establishment of a new Solar Seal Architectural, LLC manufacturing facility at 40 Wisconsin Avenue, and said funds be advanced, loaned, granted, and made use of as follows:

- (i) a grant in the amount of \$350,000;
- (ii) a no interest unsecured loan in the amount of \$350,000 due and payable by September 1, 2023; (iii) a no interest unsecured loan in the amount of \$350,000 due and payable by September 1, 2024.

The grant and loans shall be conditioned upon Solar Seal’s entering into a Loan Agreement with NCDC which will provide, among other requirements as may be agreed between NCDC and Solar Seal, a commitment over a period of ten (10) years to make reasonable efforts to hire local employees; budget not less than \$5,000 annually to be contribute toward community and civic events; participation in workforce training programs as may be approved by NCDC. Upon Solar Seal’s violation of its agreement with NCDC, the loans shall be due and payable to NCDC.

Upon a motion of Ald. Gould, seconded by Ald. Singh, it was unanimously voted to waive the full reading of the text send a referral to the Commission on the City Plan, set a public hearing on August 1, 2022 at 7:30 pm for the second reading and action for the following ordinance introduced by Mayor Nystrom, President Pro Tem DeLucia, Ald. Gould.

COUNCIL ORDINANCE

AN ORDINANCE APPROPRIATING \$500,000 FOR THE COSTS OF PLANNING A LEAD COPPER SERVICE LINE REPLACEMENT PROGRAM, IN THE CITY OF NORWICH, AUTHORIZING THE ISSUANCE OF \$500,000 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.

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

Section 1. The sum of \$500,000 is appropriated for the costs of planning a lead copper service line replacement program (“LSL”), including, but not limited to, the development of an electronic database and map of the various components of the water lines and prioritizing areas of the LSL replacement in the City of Norwich, Connecticut, and all related 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 as more fully set forth in this Ordinance (hereafter the “Project”) as shall be determined by the City of 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 thirty years. The total estimated cost of the Project is \$500,000. \$500,000 of the total Project cost is estimated to be financed by or through the State of Connecticut pursuant to its Clean Water Fund Program (as hereinafter defined), through a subsidized interest loan. 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 of the 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 of the Department is hereby authorized, on behalf of the City and the Board, to enter into any other agreements, instruments, documents and certificates for the consummation of the transactions contemplated by this Ordinance. The General Manager of the Department is hereby authorized, on behalf of the City and the Board, to apply for and accept any and all Federal and State grants for the Project, 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 \$500,000. 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 \$500,000.

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 of the 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 "Build America Bonds" including Direct Payment and Tax Credit Versions.

Section 9. This Ordinance shall be effective upon adoption by the City Council and its approval by the Board.

Upon a motion of Ald. Singh, seconded by Ald. Gould, it was unanimously voted to waive the full reading of the text send a referral to the Commission on the City Plan, set a public hearing on August 1, 2022 at 7:30 pm for the second reading and action for the following ordinance introduced by Mayor Nystrom, President Pro Tem DeLucia, Ald. Gould.

COUNCIL ORDINANCE

AN ORDINANCE APPROPRIATING \$3,350,000 FOR THE PLANNING, DESIGN AND CONSTRUCTION TO REPLACE A WATER MAIN ALONG CARIBOU DRIVE AND LAWLER LANE IN THE CITY, AUTHORIZING THE ISSUANCE OF \$3,350,000 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.

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

Section 1. The sum of \$3,350,000 is appropriated for the planning, design and construction to replace a water main along Caribou Drive and Lawler Lane in the City of Norwich, including, but not limited to, all related 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 as more fully set forth in this Ordinance (hereafter the “Project”) as shall be determined by the City of 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 thirty years. The total estimated cost of the Project is \$3,350,000. \$3,350,000 of the total Project cost is estimated to be financed by or through the State of Connecticut pursuant to its Clean Water Fund Program (as hereinafter defined), through a subsidized interest loan. 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 of the 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 of the Department is hereby authorized, on behalf of the City and the Board, to enter into any other agreements, instruments, documents and certificates for the consummation of the transactions contemplated by this Ordinance. The General Manager of the Department is hereby authorized, on behalf of the City and the Board, to apply for and accept any and all Federal and State grants for the Project, 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 \$3,350,000. 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 \$3,350,000.

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 of the 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 "Build America Bonds" including Direct Payment and Tax Credit Versions.

Section 9. This Ordinance shall be effective upon adoption by the City Council and its approval by the Board.

Upon a motion by Ald. Gould, seconded by Ald. Singh, on a roll call vote it was unanimously voted to go into Executive Session pursuant to Connecticut General Statute Section 1-200(6) for the purpose of discussing a personnel matter, City Manager John Salomone, shall be asked to participate during all or portions of this Executive Session at the request of the City Council.

The council was in Executive Session from 8:05 pm to 8:51 pm, at which time Mayor Nystrom, stated no votes were taken.

Upon a motion of Ald. Gould, seconded by Ald. Burto, on a roll call vote it was unanimously voted to return to regular session.

Upon motion of Ald. Gould, seconded by Ald. Burto, on a roll call vote it was unanimously voted to adjourn at 8:52 pm.



City Clerk