

The regular meeting of the Council of the City of Norwich was held July 6, 2021, at 7:30 PM in Council Chambers. Present by a roll call vote: Mayor Nystrom, President Pro Tem Bettencourt, Nash, Ald. Gould, Wilson and DeLucia. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Ald. Myles has an excused absence. Mayor Nystrom presided.

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

President Pro Tem Bettencourt read the opening prayer and Ald. Nash, led the members in the Pledge of Allegiance.

Upon a motion of Ald. Wilson, seconded by Ald. Gould, on a roll call vote it was unanimously voted to adopt the minutes of June 7, 14 and 21, 2021.

Presentation by City Manager Salomone:

### [American Rescue Plan](#)

Mayor Nystrom call for a public hearing on the Community Development Block Grant allocation recommendations for Program year 2021.

Speaking in favor:

Martha Soussloff, Safe Futures, thanked the City for the support in the past and asked them to support the recommended funding. She stated they have an office in Norwich and work with the Police in the safe advocacy ride along program.

Shiela Hayes, 382 Laurel Hill Ave, pointed out two programs that didn't get funding, Night Flight Basketball and Citizen & Police Academy and asked if recaptured funds could be used to fund these programs.

Speaking in opposition:

There were no speakers.

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

Mayor Nystrom declared citizen comment closed.

City Manager Salomone report:

**To:** Mayor Nystrom and members of the City Council

**From:** John Salomone, City Manager

**Subject:** City Manager's Report

**Date:** July 6, 2021

Meetings attended included, State representatives and legislators, Southeastern Council of Governments (SCCOG), Connecticut Interlocal Risk Management Agency (CIRMA) Investment Meeting, NPU-City Coordination Meeting, NCDC Board Meeting, and Harbor Management Commission. I have met with the Chiefs three times in the past few months and meetings will be scheduled for the 3rd or 4th Wednesdays of the month. We are currently discussing the dispatch and radio projects, which I will report to Public Safety and forward the information to the Council.

City staff, Bond Council, financial and investment advisors, and I presented a public informational on the analysis of the City's pension funding obligation on June 29th in Council Chambers. The informational session on Pension Obligation Bonds, presentation slides and frequently asked questions is available on the City's website under the Finance Department's web page at <https://www.norwichct.org/pob> Ordinances will be coming back to the Council for consideration in August.

July tax bills are now due and payments can be paid until August 2nd, 2021 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.

Mohegan Park beach opened on June 24th and has been busy on the hotter days. The Recreation Department is still taking registrations for youth swim lessons and summer day camp. All other programs and activities start July 6th, which include karate, tumbling, basketball, flag football, tennis clinics along with fishing and fencing. Parks and playgrounds are very busy and being used daily by the community.

Norwich Youth and Family Services has enrolled 120 youth into summer jobs in the CT Youth Employment Program. This will give them a sound foundation in workplace skills while helping local businesses.

Griffin Health held COVID-19 vaccination clinics at City Hall on July 1st, 2nd & 6th and will be at City Hall again from July 28th to 30th. They will also be offering free vaccines at Spaulding Pond in July and August.

Thank you to the Norwich Events Organization for the annual fireworks celebration held on July 5th, which was enjoyed by thousands.

The 2021 Summer Concert series starts July 7th at Dodd Stadium. Thank you to the Greater Norwich Area Chamber of Commerce and sponsors.

Following the City Managers Report:

President Pro Tem Bettencourt, made a motion Pursuant to Section XI and Section XXV of the Rules of Procedure, to reconsider the vote of the Council at the Council meeting on June 21, 2021 relating to the Ordinance entitled:

**“AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS' RELIEF FUND PLAN OF THE CITY OF NORWICH”**

Mayor Nystrom stated the motion to reconsider can be made only by a member who originally voted on the prevailing side. That original motion failed. Therefore, you needed to have voted against the motion. Is that how you voted?

President Pro Tem Bettencourt responded affirmative.

Is there a second to the motion to reconsider? Motion was seconded by Ald. Nash.

Mayor Nystrom stated that it is moved and seconded to reconsider the vote at the Council meeting on June 21, 2021 relating to the Ordinance entitled:

**“AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS’ RELIEF FUND PLAN OF THE CITY OF NORWICH”**

The question is: Shall the vote at the Council meeting on June 21, 2021 relating to the Ordinance entitled:

**“AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS’ RELIEF FUND PLAN OF THE CITY OF NORWICH”**

Be reconsidered?

Is there any discussion?

Discussion followed.

Mayor Nystrom asked if the Council was ready for the question.

Mayor Nystrom stated we will now go to the vote. To prevail, the motion to reconsider requires a majority vote. The question is: shall the vote at the Council meeting on June 21, 2021 relating to the Ordinance entitled:

**“AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS’ RELIEF FUND PLAN OF THE CITY OF NORWICH”**

be Reconsidered?

On a roll call vote of 6-0 motion to reconsider passes.

Upon a Motion of Ald. DeLucia, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to postpone the action on the following Ordinance until August 2, 2021 at 7:30 pm.

**AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS’ RELIEF FUND PLAN OF THE CITY OF NORWICH**

**WHEREAS**, plan changes have been proposed to the City of Norwich Volunteer Firefighters Pension Plan; and

**WHEREAS**, on or about October 5, 2020 the City of Norwich Finance Department received an analysis of the financial impact of the proposed changes prepared by the actuarial firm overseeing the pension fund; and

**WHEREAS**, the Volunteer Firefighter Relief Fund Committee at a special meeting held October 13, 2020 reviewed this financial analysis and voted to recommend the proposed plan changes to the Council of the City of Norwich

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Norwich that the following amendments to Sections 8-74, 8-75, and 8-77 of Article IV of Chapter 8 of the Code of Ordinances listed as follows:

Section 8-74(a)(v)(6);

Section 8-74(a)(v)(7,) (to be added);

Section 8-75(a) (i) and (ii), (subpart (ii) deleted in full);

Section 8-75(c)(vi), (amending 8-75(c)(vi) by deleting (i) and (2) and restating (vi));

Section 8-75(c)(vii), (to be added);

Section 8-77(d)(i)(1)(a) and (b);

Section 8-77(d)(i)(1)(c), (to be added).

BE AND HEREBY ARE ADOPTED.

Sec. 8-74. – Service

(v) Contribution rate. A plan member shall contribute the following amounts for purchase of credited service during the following periods:

- (1) \$60.00 for plan years prior to January 1, 1995.
- (2) \$84.00 for plan years on or after January 1, 1995 but prior to January 1, 2000.
- (3) \$120.00 for plan years on or after January 1, 2000 but prior to January 1, 2006.
- (4) \$180.00 for plan years on or after January 1, 2006 but prior to January 1, 2011.
- (5) \$216.00 for plan years on or after January 1, 2011 but prior to January 1, 2014.
- (6) \$264.00 for plan years on or after January 1, 2014 but prior to January 1, 2021.
- (7) \$288.00 for plan years on or after January 1, 2021.

Sec. 8-75. - Retirement benefits.

(a) Normal retirement.

~~(i) For members joining the plan prior to January 1, 2015, the~~ A plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 20 years of credited service.

~~(ii) For members joining the plan on or after January 1, 2015, the plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 25 years of credited service.~~

(b) Deferred retirement. A plan member who is satisfactorily able to perform fire duties may remain an active member and continue to earn credited service beyond his/her normal retirement date while he/she continues to collect benefits. The first day of the calendar month following such deferred retirement shall be known as his/her deferred retirement date.

(c) Calculation of retirement benefits. The monthly amount of retirement benefits payable to a plan member shall be calculated as follows:

- (i) For retired members with a break in service prior to January 1, 1995, \$7.00 times 20 years of service, for a maximum of \$140.00.
- (ii) For retired members with a break in service on or after January 1, 1995 but prior to January 1, 2000, \$8.00 times number of years of credited service, with a maximum of 30 years, or \$240.00.
- (iii) For retired members with a break in service on or after January 1, 2000 but prior to January 1, 2006, \$10.00 times number of years of credited service, with a maximum of 30 years, or \$300.00.
- (iv) For retired members with a break in service on or after January 1, 2006 but prior to January 1, 2011, \$15.00 times number of years of credited service, with a maximum of 35 years, or \$525.00.
- (v) For retired members with a break in service on or after January 1, 2011 but prior to January 1, 2015, \$18.00 times number of years of credited service, with a maximum of 40 years, or \$720.00.
- (vi) For retired members with a break in service on or after January 1, 2015 but prior to January 1, 2021, \$22.00 times number of years of credited service, with a maximum of forty years, or \$880.00;
- ~~(1) Forty years, or \$880.00, for members who joined the plan prior to January 1, 2015~~
- ~~(2) Thirty years, or \$660.00, for members who joined the plan on or after January 1, 2015~~
- (vii) For retired members with a break in service on or after January 1, 2021, \$24 times number of years of credited service, with a maximum of 40 years, or \$960.00

Sec. 8-77. - Death benefits.

(d) Death after retirement.

(i) Qualified spousal and child benefits. A plan member who is under the age of 65 as of January 8, 2001 and is an active member is entitled to have benefits pass onto his/her qualified spouse and child(ren), subject to the restrictions and calculations described herein.

(1) Qualified spouse is entitled to death benefits until death or remarriage, calculated as follows:

- a. Plan member who died between January 8, 2001 and July 16, 2006. Fifty percent of the deceased plan member's retirement benefit;
- b. Plan member who died ~~after~~ between July 16, 2006 and January 1, 2021. Ninety percent of the deceased plan member's retirement benefit.

c. Plan member who dies after January 1, 2021. One hundred percent of the deceased plan member's retirement benefit.

Pursuant to Section XI and Section XXV of the Rules of Procedure, upon a motion by Ald. Nash, to Reconsider the vote at the Council meeting on June 21, 2021 relating to the Ordinance entitled:

**“AN ORDINANCE TO ESTABLISH THE POSITION OF DIRECTOR OF THE FIRE SERVICE, TO BE CODIFIED AS SECTION 8-12 OF CHAPTER 8 OF THE NORWICH CODE OF ORDINANCES, AND TO SET RESPONSIBILITIES AND REQUIREMENTS WITH RESPECT TO THE POSITION”**

Mayor Nystrom stated the motion to reconsider can be made only by a member who originally voted on the prevailing side. That original motion failed. Therefore, you needed to have voted against the motion. Is that how you voted?

Ald. Nash responded affirmative.

Is there a second to the motion to reconsider? Motion was seconded by Ald. Gould.

Mayor Nystrom stated that it is moved and seconded to reconsider the vote at the Council meeting on June 21, 2021 relating to the Ordinance entitled:

**“AN ORDINANCE TO ESTABLISH THE POSITION OF DIRECTOR OF THE FIRE SERVICE, TO BE CODIFIED AS SECTION 8-12 OF CHAPTER 8 OF THE NORWICH CODE OF ORDINANCES, AND TO SET RESPONSIBILITIES AND REQUIREMENTS WITH RESPECT TO THE POSITION”**

The question is: Shall the vote at the Council meeting on June 21, 2021 relating to the Ordinance entitled:

**“AN ORDINANCE TO ESTABLISH THE POSITION OF DIRECTOR OF THE FIRE SERVICE, TO BE CODIFIED AS SECTION 8-12 OF CHAPTER 8 OF THE NORWICH CODE OF ORDINANCES, AND TO SET RESPONSIBILITIES AND REQUIREMENTS WITH RESPECT TO THE POSITION”**

be Reconsidered?

Is there discussion?

Discussion followed.

Mayor Nystrom asked if the Council was ready for the question.

Mayor Nystrom stated we will now go to the vote. To prevail, the motion to reconsider requires a majority vote. The question is: shall the vote at the Council meeting on June 21, 2021 relating to the Ordinance entitled:

**“AN ORDINANCE TO ESTABLISH THE POSITION OF DIRECTOR OF THE FIRE SERVICE, TO BE CODIFIED AS SECTION 8-12 OF CHAPTER 8 OF THE NORWICH CODE OF ORDINANCES, AND TO SET RESPONSIBILITIES AND REQUIREMENTS WITH RESPECT TO THE POSITION”**

be reconsidered?

Motion to reconsider passes on a roll call vote of 4-2 with Ald. Wilson and DeLucia voting in opposition.

Upon a motion of Ald. Gould, seconded by Ald. Nash, on a roll call vote it was unanimously voted to put the following ordinance on the floor.

**AN ORDINANCE TO ESTABLISH THE POSITION OF DIRECTOR OF THE FIRE SERVICE, TO BE CODIFIED AS SECTION 8-12 OF CHAPTER 8 OF THE NORWICH CODE OF ORDINANCES, AND TO SET RESPONSIBILITIES AND REQUIREMENTS WITH RESPECT TO THE POSITION**

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

- a) There shall be a Director of the Fire Service who shall serve as part of the City Administration reporting to the City Manager.
- b) The Director of the Fire Service shall exercise all the duties, powers and functions of the position and shall be responsible for the administrative oversight, visioning, leadership, planning, budgeting, coordinating and management of the fire department (career) and volunteer fire companies (hereinafter collectively the “Fire Department”) and shall, in conjunction with the chiefs of the fire department and the volunteer fire companies (hereinafter collectively the “Fire Chiefs”), manage the implementation of the Fire Department’s goals, objectives and priorities. The Superintendent of the Fire Service shall recommend and administer policies and procedures, and shall affect their implementation through direct supervision of the Fire Chiefs of the Fire Department, including but not limited to:
  - (1) In conjunction with the Fire Chiefs, develop a Fire Department strategic plan and provide for its implementation.
  - (2) In conjunction with the Fire Chiefs, manage the development and implementation of the City’s compliance with federal and state safety and security programs, including but not limited to, NFPA 1710, NFPA 1720, OSHA, and ICS.
  - (3) Ensure that the Fire Department properly enforces all local, state and federal laws and ordinances.
  - (4) Independently, or in conjunction with the Fire Chiefs, shall work to ensure appropriate service delivery throughout the City of Norwich.
  - (5) Promote and develop relationships with the citizens of the City of Norwich, and with businesses and organizations.

- (6) Serve and act as the Public Information Officer for the City of Norwich in the event of citywide emergencies and/or medical service events.
- (7) When available, attend major emergency incidents within the City to observe operations and to serve as the City's spokesperson.
- (8) Evaluate the organizational structure of all fire departments and fire companies in the City of Norwich from a public safety perspective, to address potential duplication of services, and make recommendations to promote greater efficiency of service delivery.
- (9) In collaboration with the Fire Chiefs, assist in presenting to the City Manager and/ or the Council of the City of Norwich on matters of operations, budget, personnel and other matters.
- (10) Coordinate, develop and implement standard operating guidelines (SOG's) for the fire departments.
- (11) Ensure coordination of communications and operations between the Fire Department and dispatch agencies, including providing current and future guidance, policies and procedures for effective dispatching of emergency personnel.
- (12) Coordinate the preparation of budgets for all entities within the Fire Department, including regular and continued oversight of the approved operating and capital budgets.
- (13) Evaluate all Fire Department equipment and apparatus to address duplication and effective use of resources.
- (14) Assist all components of the Fire Department in station location, station maintenance, and future building needs through identification, rationale, budget and effects on service delivery.
- (15) Coordinate and write grants for the procurement of personnel, apparatus, emergency funding and other resources.
- (16) Evaluate all Fire Department training programs and facilitate the development of an integrated training program for all components of the Fire Department.
- (17) Continually review personnel deployment to promote and ensure efficient and effective utilization of manpower.
- (18) Coordinate with the Department of Human Resources and the Fire Chiefs concerning recruitment, promotion, discipline and personnel practices.
- (19) Supervise the Fire Chiefs regarding recruitment, evaluation, discipline, and their adherence to the City of Norwich personnel policies and procedures, department operations, management of employees and volunteers, written and verbal communications and such other activities as the Superintendent of the Fire Service deems appropriate to strengthen the Fire Department, including initiating and taking appropriate action concerning personnel in conjunction with the Department of Human Resources.



- (20) Provide input regarding fire prevention and code enforcement.
  - (21) Inform the City Manager on a regular basis of the status of activities, programs, problems and the plans associated with the Fire Department.
  - (22) Develop collaborative working relationships with the Fire Chiefs, including facilitating regular joint meetings.
  - (23) Prepare and present written reports to the City Manager, Public Safety Committee of the City of Norwich or the Council of the City of Norwich as directed, assume leadership over special projects assigned by the City Manager and/or the Public Safety Committee of the Council of the City of Norwich and including responsibility for project delineation, management, communication, budget and implementation.
  - (24) Maintain all acceptable levels of competence, professionalism and ability as well as acceptable standards of conduct to ensure the responsibilities and duties of the position are performed as outlined herein and as otherwise required.
- c) The Director of the Fire Service shall:
- (1) Demonstrate and maintain sufficient knowledge, skills, abilities and experience required of the position, shall hold and maintain such licenses and certifications as required by the City of Norwich, and shall meet such other requirements as are set out in the job description prepared by the Department of Human Resources of the City of Norwich including, but not limited to, levels of education, fitness, training, and experience.
- d) Nothing in this Ordinance shall be construed to affect the organization, status or property of any volunteer fire company now established or which may hereafter be established in the City.
- e) This Ordinance shall take effect on \_\_\_\_\_.

**Motion to adopt the above Ordinance fails on a roll call vote of 2-4 with Mayor Nystrom, President Pro Tem Bettencourt, Ald. Nash and Gould voting in opposition.**

**Mayor Nystrom declared citizen comment opened.**

**Brian Kobylarz, 16 Hobart Ave, recommended the Council to vote in favor of Resolution #1 and asked if Resolution #3 is still on the table.**

**Marvin Serruto, 100 Starr St, spoke in favor of Resolution #3.**

**Shiela Hayes, 382 Laurel Hill Ave, spoke in favor of resolution #1 an asked to amend it to add Youth programs (Night Flight Basketball) and she supports resolutions #2 and #3.**

**Mayor Nystrom declared citizen comment closed.**

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

**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.

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

**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)**

Anticipated FY 2021 Allocation	\$ 830,989.00	\$ 376,317.00	\$ 876,317.00
	PY47 Request	CDAC Recommendation	Council Recommendation
<b>CDBG Requests - PY47 (2021-2022)</b>			
<b>CC Office - Administration (20% of Grant Funds)</b>	\$ 172,167.00	\$ 176,197.00	\$ 176,197.00
<b>Public Services</b>			
Children in Placement - GAL	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
TVCGA Homeless Adults Homeless Prevention	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
Norwich Works - NHS	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
Rapid Housing/Shelter Overcrowd - NHS	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
Safe Futures	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
Citizen & Police Academy - NPD	\$ 10,938.70	\$ -	\$ 10,938.70
Night Flight Basketball - NPD	\$ 18,738.40	\$ -	\$ -
<b>Non-Public Services</b>			
Columbus Park - DPW	\$ 39,431.00	\$ 40,280.00	\$ 40,280.00
Handicap Accessibility - DPW	\$ 10,430.00	\$ 10,430.00	\$ 10,430.00
Rosewood Manor Roof & Gutters - NHA	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00
Futura, Inc. - I/MAG System	\$ 30,048.00	\$ -	\$ -
McKeon Park - Norwich Recreation	\$ 135,831.00	\$ 55,823.00	\$ 55,823.00
Jenkins Park - Norwich Recreation	\$ 148,200.00	\$ 11,375.00	\$ 11,375.00
Property Rehabilitation & Code Compliance - CD	\$ 225,000.00	\$ 273,412.00	\$ 282,475.30
<b>Total Funding</b>	<b>\$ 830,989.00</b>	<b>\$ 376,317.00</b>	<b>\$ 876,317.00</b>

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Nash, on a roll call vote it was unanimously voted to put the following resolution introduced by President Pro Tem Bettencourt and Ald. Wilson, Myles and DeLucia on the floor.

**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.

Upon a motion of Ald. DeLucia, seconded by Ald. Wilson, it was moved to postpone the above resolution until July 19, 2021.

On a roll call vote of 3-3 with Mayor Nystrom, Ald. Nash and Gould voting in opposition, motion to postpones fails.

Upon a motion to amend the above resolution of President Pro Tem Bettencourt seconded by Ald. Nash, to strike out in paragraph #2 “an amalgamation” and add “all”, strike out paragraph #3 in its entirety and in the last paragraph strike out “City Council” and replace it with “Public Safety Committee”.

On a roll call vote of 3-3 with Mayor Nystrom, Ald. Gould and DeLucia voting in opposition the amendment fails in its entirety.

Upon a Motion of Ald. Nash, seconded by President Pro Tem Bettencourt, it was voted to refer the above resolution to the Public Safety Committee.

On a roll call vote of 4-2 with Mayor Nystrom, Ald. Gould voting in opposition the motion to refer the above resolution to the Public Safety Committee passes.

Upon a motion of Ald. Nash, seconded by Ald. Gould, it was unanimously voted to waive the full reading, refer to the Commission on the City Plan and set a public hearing on August 2, 2021 at 7:30 pm for the second reading and action for the following ordinance introduced Mayor Nystrom and Ald. Gould

**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.

Upon a motion of Ald. Gould, seconded by President Pro Tem Bettencourt, it was unanimously voted to waive the full reading and set a public hearing on July 19, 2021 at 7:30 pm for the second reading and action for the following ordinance introduced Mayor Nystrom.

**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 \$997,500 ~~\$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 \$997,500 ~~\$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**

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

“Section 1. The sum of \$997,500 ~~\$750,000~~ 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.

Upon motion of Ald. Gould, seconded by Ald. Nash, on a roll call vote it was unanimously voted to adjourn at 9:40 P.M.

*Betsy Bannard*

City Clerk