

FINAL

THIRD TAXING DISTRICT
of the City of Norwalk
Commission Meeting
March 6, 2017

ATTENDANCE: Commissioners: David Brown, Chair; Charles Yost, Debora Goldstein, Dr. Michael Intrieri, Treasurer

STAFF: Jim Smith, General Manager;

OTHERS: Drew Rankin (CMEEC); Sue Gabriele and Patrick Moore (Animal Nation); Michelle Maggio (Ratepayer); James Fallon (CT-DOT); Kevin Slattery, Krista Kenney, Christian Brown (HNTB); Heather Cwikla, Laura Toole, Joseph D'Agostino (Parsons Brinckerhoff)

CALL TO ORDER

Commissioner Brown called the meeting to order at 7:00 p.m. A quorum was present.

PUBLIC COMMENT

No one from the public was in attendance to comment.

EXECUTIVE SESSION

CMEEC Pending Litigation

**** COMMISSIONER YOST MOVED TO ENTER INTO EXECUTIVE SESSION FOR AN UPDATE ON THE CMEEC PENDING LITIGATION.**

**** COMMISSIONER BROWN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Commissioners, Treasurer, Mr. Smith and Mr. Drew Rankin entered into Executive Session at 7:01 p.m.

**** COMMISSIONER YOST MOVED TO EXIT EXECUTIVE SESSION AND RETURN TO PUBLIC SESSION.**

**** COMMISSIONER GOLDSTEIN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Commissioners, Treasurer, Mr. Smith and Mr. Drew Rankin returned to public session at 7:32 p.m.

DONATION REQUEST
ANIMAL NATION NORWALK/FAIRFIELD POLIC K-9 UNITS

Mr. Patrick Moore, Vice President of Animal Nation and Ms. Sue Gabriele, Fundraising Coordinator, spoke to the Commission about the upcoming event to be held on April 8, 2017 at St. Ann's Club to benefit the Norwalk/Fairfield Police K-9 units and Animal National, which is a non-profit group that serves Norwalk. They are seeking to obtain funds for sponsorship of the event.

Commissioner Yost asked how the funds would be used. Mr. Moore stated it would be used for the farm located in Westchester County where they rehabilitate wildlife, homes for displaced farm animals, domestic pet rescue in Norwalk, low cost spay/neuter. Ms. Gabriele told the Commission that it would benefit both the Fairfield and Norwalk K-9 units as well in order to obtain proper equipment, i.e., vehicles and bullet proof vests.

Commissioner Yost asked how the funds would be split. They were told it would be split evenly among the three, or the donator can specifically request the funds be used for one specific area.

**** COMMISSIONER YOST MOVED TO SPONSOR THE ANIMAL NATION AS A SILVER SPONSOR (POINTER) IN THE AMOUNT OF \$500 TO BE SPLIT EQUALLY.**

**** COMMISSIONER BROWN SECONDED.**

**** COMMISSIONER GOLDSTEIN ABSTAINED.**

**** THE MOTION PASSES.**

**** COMMISSIONER YOST MOVED TO SUSPEND THE RULES TO MAKE A CHANGE TO THE AGENDA AND MOVE FINAL PREPARATIONS FOR ANNUAL MEETING TO NUMBER 4 ON THE AGENDA.**

**** COMMISSIONER BROWN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

FINAL PREPARATIONS FOR ANNUAL MEETING

Ms. Maggio had been contacted by the Commission to see if she would like to be one of the nominees for Chairperson at the Annual Meeting. Commissioner Brown informed her that he was not aware that Commissioner Yost had been in touch with her. Commissioner Brown had reached out to Mr. Craig Cutner separately for the same reason and Mr. Cutner agreed to the nomination. It was the consensus that both Ms. Maggio and Mr. Cutner be nominated for Chairperson for the Annual Meeting and let the ratepayers vote on who should take the position. Ms. Maggio was given a final packet for the Annual Meeting to review. The Commission thanked Ms. Maggio for accepting.

**REVIEW OF THE TTD COMMISSION'S WALK BRIDGE COMMENTS WITH
PARSONS BRINCKERHOFF**

Mr. Jim Fallon (CT-DOT) spoke to the Commission and informed them that they were meeting with all stakeholders who provided comments on the EA (Environmental Assessment) for the project. Once all the meetings are complete, they will compile the comments with their responses and provide the document to the FDA and it will also be available to the stakeholders. They would like to discuss the Environmental Process and the EA, where they are in terms of the project and then go through the Commission's comments one at a time and offer some preliminary information.

Commissioner Brown explained that Commissioner Goldstein had written TTD's statement for the Commission, which they approved and signed. At this time, Commissioner Brown is asking Commissioner Goldstein to speak on behalf of the Commission on this subject.

Commissioner Goldstein informed CT-DOT that TTD had not been invited to the Round Robin with the City of Norwalk where the DOT spoke to all the departments. The Commission did not have all the resources to run through the EA. There was at least one technical fault in what Commissioner Goldstein had stated which was subsequently corrected in the written one. The Commission was forced to focus on items that they could safely represent as the views of their constituents, not the entire report. The issues that were dealt with in the Statement were less about environmental than they were about socio-economic impacts. The Commission's scope was limited in responding based on the 20 years of input they had been receiving from the community about East Avenue and issues which had happened more recently revolving around the Walk Bridge. The Commission did not have the resources to go through and conduct a comprehensive or technical response.

Mr. Slattery (NHTB) went through the environmental process and spoke about how they developed mitigation plans. He explained the three classes of impact under NEPA (National Environmental Policy Act). The process under EA is where the document is sent out and everyone gets an opportunity to review it and comment on it. It is then evaluated and responses to comments are developed. It is then reviewed by the Federal Transit Administration and then a decision is made on their findings.

Mr. Fallon handed out copies of the Commission's Statement with codes marked alongside the comments. Mr. Slattery (HNTB) explained what the coding meant. The "E" stands for Elected Officials and the number stands for the unique comment. In some cases the numbers repeated, meaning that they belonged in the same comment category. Each numbered comment will have a response in the final document which should be published later in May. The goal for now is to understand each stakeholders' comment prior to responding and submitting to the FTA.

Commissioner Brown asked, "what clout does TTD have in this project?" Mr. Fallon said one of the things they have to do is meet with all the stakeholders and review their comments. There was a commitment made that they would reach out to all the stakeholders who provided comments, responses will be provided to all the issues raised which will then become part of the

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official record. The clout that TTD has is that when the Commission sees the listing of all the mitigation plans, they are able to keep track as to whether or not the issues are being addressed and can request to see the progress on the issues.

Dr. Intrieri asked what the timeline for the project is. Mr. Fallon indicated that the Walk Bridge will commence in the beginning of 2019 and continue through 2022.

Commissioner Goldstein asked where the East Avenue bridge fits into the timeline. Mr. Fallon stated that the East Avenue bridge will be built during the same timeframe as the Walk Bridge, 2019 to 2022. This is one of the Traffic Management plans that needs to be addressed. There are three bridges involved – Fort Point, Osborne and East Avenue.

Messrs. Fallon and Slattery reviewed all the numbered comments with the Commission one by one. Categories were: Scoping Meetings, Rail Traffic, Marine Traffic, Traffic, Transit and Parking, Socioeconomics, Historic & Cultural Resources, Public Utilities & Service, Coastal Management Considerations and Costs & Timing.

Commissioner Yost asked, “how do you maintain traffic flow of trains during the construction period?” Mr. Chris Brown (HNTB) replied that when the work for the Walk Bridge is taking place they are going to take the four tracks down to two. They will be building the bridge in halves, so while they are operating trains on two of the tracks, they will be building on the other two tracks. One the first half is done, trains will be diverted to the new tracks and then continue to build the other half.

Further discussion took place about the upcoming project and the CT-DOT has assured the Commission that they will be invited to any of the upcoming meetings in order to keep them abreast of all information.

**TTD INVOLVEMENT IN EAST NORWALK COMMUNITY FORUM
ON EAST AVENUE IMPROVEMENTS**

Commissioner Goldstein reviewed Ms. Diane Cece’s email to the Commission with regard to the upcoming Forum sponsored by Eastern Norwalk Neighborhood Association, East Norwalk Business Association and Third Taxing District to be held at The Marvin on Saturday, March 11, 2017. Ms. Cece is requesting the Commission to have an email blast sent out to TTD’s customer base announcing the meeting, as well as having the meeting announced at the upcoming Special Annual Meeting. The Commission agreed to this request. She is also asking to borrow some items from TTD for the meeting, i.e., projector and easel. Ms. Cece will get in contact with the TTD office by Friday in order to obtain any items she will need to assist her in running the meeting.

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MINUTES

February 20, 2017 Regular Meeting

- ** COMMISSIONER YOST MOVED TO APPROVE THE MINUTES OF FEBRUARY 20, 2017 REGULAR MEETING.**
- ** COMMISSIONER BROWN SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

DISCUSSION/ANALYSIS OF FINANCIAL STATEMENTS/KEY PERFORMANCE

Mr. Smith said that January 2017 was a very good month with a strong revenue performance. Net Income before Rate Stabilization was \$131,969.87. Contribution to Rate Stabilization was \$81,241.84, giving us a Net Income on a cash basis of \$213,211.71 for the month. Purchase Power costs are up because of the capacity market and the winter. It's up 9.14% over last year.

For the first seven months of the year, total Income and Total Expense are just about even with the previous year. Other Income is up a bit at \$287,712 over last year at \$217,795. Other Expense is down 61% at \$20,140 versus last year at \$51,041. Net Income is at \$50,288 over a negative of last year of (\$715). We contributed almost double to Rate Stabilization this year compared to last year. Net Income for the first seven months is \$1,133,548 versus last year of \$607,425. Cash balances remain solid. Outstanding balance with CMEEC continues to decrease.

Discussion took place about the Rate Stabilization Fund and Mr. Smith explained the process to the Commission. Commissioner Goldstein suggested that a Rate Stabilization Policy be put in place for the future in order to review it on a yearly basis.

GENERAL MANAGER'S REPORT

No discussion took place.

PROJECT SUMMARY

No discussion took place.

ADJOURNMENT

- ** COMMISSIONER BROWN MOVED TO ADJOURN.**
- ** COMMISSIONER YOST SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Third Taxing District
of the City of Norwalk
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The meeting adjourned at 9:24 p.m.

Respectfully submitted,

Cynthia Tenney
Executive Assistant
Third Taxing District