

FINAL

**CITY OF NORWALK
THIRD TAXING DISTRICT
SPECIAL MEETING
AUGUST 5, 2013**

ATTENDANCE: Charles Yost, David Brown

STAFF: James Smith, General Manager

OTHERS: Atty. John Bove, District Council; Ted Vandekamp; Pat Vandekamp;
Deborah Goldstein, Tabor Hamilton

CALL TO ORDER.

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

PUBLIC COMMENT.

Mr. & Mrs. Ted Vandekamp said that they lived at 100 Seaview Avenue and that their section of the street is a dark, dead end street. This has resulted in garbage being dumped on the Third Taxing District property, including hypodermic needles, and other debris. One of the storm drains also is deteriorating.

Mr. Vandekamp said that he had been the one who vocally opposed the bandstand in Veteran's Park last year, so, he is not welcomed in City Hall.

Mrs. Vandekamp said that there was a major sinkhole developing on the Taxing District property near a tree by the seawall. She said that the police ignore their calls when the music is blaring. They have talked to the Parks Department, Customer Service and various other departments. Mr. Vandekamp suggested installing a motion sensor light for the area.

Mrs. Vandekamp said that people use the area as a boat launch. She said that when she called and spoke to Mr. Smith, he said that he would see what he could do. Commissioner Yost suggested that they write a letter to the editor. He added that he would see what they could do for them.

Ms. Goldstein asked about the East Avenue widening project. She said that she understood that it had been voted down at the Common Council. Commissioner Brown said that he had been at the meeting when that was voted down. He said that he seemed to remember that the majority of the public speakers were against the action.

MINUTES OF MEETINGS.

July 1, 2013 –

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The following correction was noted:

Page 2, under **Review of Patriot Bank Loan Documents**, paragraph 2, line 1: please change the following from: “that is loan is to be treated” to “that loan is to be treated”

**** COMMISSIONER BROWN MOVED TO APPROVE THE MINUTES OF JULY 1, 2013 AS CORRECTED.**

**** COMMISSIONER YOST SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF JULY 1, 2013 AS CORRECTED PASSED UNANIMOUSLY.**

July 29, 2013 Special Meeting -

**** COMMISSIONER BROWN MOVED THE MINUTES OF THE JULY 29, 2013 SPECIAL MEETING.**

**** COMMISSIONER YOST SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE JULY 29, 2013 SPECIAL MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

GENERAL MANAGER'S REPORT.

Update on Fitch Street / Cervalis Project -

Mr. Smith said that the construction is moving forward and a bit ahead of schedule. Earlier in the day, Mr. Smith received notification that CL&P is a bit behind their schedule on their section of the project. They will be constructing two steel towers and connecting wires to the substation, along with building a retaining wall along the back of the substation. Mr. Smith said that he will be monitoring this situation closely.

Atty. Bove said that CL&P had submitted a request for an easement on the property, but upon review of the request, the area seemed to be excessive. This issue has been addressed.

Cervalis has all the infrastructure in place. The control house is now in place and internal wiring is underway. Mr. Smith then distributed an information sheet about the projected timeline and payment schedule. He said that this was just a quick snapshot to update the Commission on what is left to be done. Discussion followed about the details of the project and the associated costs.

Cervalis is currently hooked up for power on a temporary basis. The permanent installation is expected by the end of September. The Third Taxing District will be ready to provide service in August and any remaining work will need to be done by the company.

Update on Rate Study -

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Mr. Smith spoke with Dawn Lund earlier in the day. The study has been completed and there is some fine tuning going on about the waste water treatment plant rates. He said that he may be requesting a special meeting in August to discuss the final report results with the Commissioners.

DISCUSSION /ANALYSIS OF THE FINANCIAL STATEMENTS.

Mr. Smith then stated this was the end of the fiscal year and the statements were done on a cash basis. He then reviewed the figures on the Commissioners' financial report. During this past July, the District sold over seven million kilowatt hours, which is a record for the Third Taxing District.

Commissioner Yost asked about the material expenses. Mr. Smith reminded him that the District had to replace numerous poles and purchase reels of wire to restring the lines following Super Storm Sandy. He said that there would be a separate accounting for the 100th anniversary event, although some of the expenses were included in the financial statement.

Commissioner Brown asked about the 0% noted on various accounts. Mr. Smith explained that if the percentage change was less than 1%, it was rounded down to 0%.

Discussion followed about the variations in the cost of power, incoming revenues and other factors, such as rate stabilization.

FOLLOW UP ON ROWAN STREET PROPERTY.

Mr. Smith said that an appraisal has been done on the property. Atty. Bove and Mr. Smith have discussed making an offer. There will still need to be a meeting with the appraiser about the parcel. Discussion followed.

UPDATE ON EAST AVENUE ROAD WIDENING.

Mr. Smith said that he had sent out a memo on the issue. There has been some discussion about whether this project will ever move forward. The State had requested a scope and sequence of the work that the Third Taxing District would have to do if the State decided to go through with the project. It is on the State's schedule for 2016. The actual construction work would take at least a year and all the power lines between the railroad and the Thruway would be placed underground.

DISCUSSION OF CMEEC - FIVE YEAR POWER SUPPLY PROJECTION.

Mr. Smith then directed everyone's attention to his memo of July 16th. This is a five year projection from CMEEC on power costs. Their calendar runs from January through December. Mr. Smith then reviewed the financial details with the Commissioners and how it will affect the rate payers.

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DISCUSSION OF PARTICIPATION IN THE 2013 OYSTER FESTIVAL.

Mr. Smith said that the District participates every year and does charge time and materials for installing the poles and stringing wiring. He said that he would like to have a vote to continue to participate.

**** COMMISSIONER BROWN MOVED TO CONTINUE TO PARTICIPATE IN AIDING THE SEAPORT ASSOCIATION IN THE PREPARATION FOR THE 2013 OYSTER FESTIVAL BASED ON THE DISTRICT'S STANDARD TIME AND MATERIAL RATES.**

**** COMMISSIONER YOST SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ENGAGEMENT LETTER - FYE JUNE 30, 2013 AUDIT.

Mr. Smith referred to the memo dated July 31st regarding the annual financial audit by Hope and Hernandez, P.C. He said that the fee has increased about \$500 from last year. He said that the company was good, but he would like to move the scheduling of the actual audit from December to the fall. Discussion followed about the details of the proposal.

Commissioner Brown expressed concern about using the same auditor for the last four years.

**** COMMISSIONER BROWN MOVED TO RETAIN HOPE AND HERNADEZ FOR THE ANNUAL 2012 AUDIT WITH THE AUDIT BE COMPLETED NO LATER THAN OCTOBER 15TH.**

**** COMMISSIONER YOST SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

EXECUTIVE SESSION.

**** COMMISSIONER BROWN MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS LEGAL CONTRACTS AND EMPLOYMENT ISSUES.**

**** COMMISSIONER YOST SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Commissioners, Mr. Smith and Atty. Bove entered into Executive Session to discuss legal contracts and employment issues at 8:18 p.m. They returned to public session at 8:35 pm.

ADJOURNMENT.

**** COMMISSIONER BROWN MOVED TO ADJOURN.**

**** COMMISSIONER YOST SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

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The meeting adjourned at 8:36pm.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services