

FINAL

THIRD TAXING DISTRICT
of the City of Norwalk
Special Commission Meeting
April 7, 2016

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

STAFF: Jim Smith, General Manager; Ron Scofield, Assistant General Manager

OTHERS: Drew Rankin and Justin Connell (CMEEC)
Atty. Chris Hodgson (Berchem, Moses & Devlin)
Janet Evelyn (NICE)

CALL TO ORDER

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

PUBLIC COMMENT

There were no comments from the public.

MINUTES OF MEETING – MARCH 14, 2015

**** COMMISSIONER BROWN MOVED TO APPROVE THE MINUTES OF MARCH 14, 2016.**
**** COMMISSIONER YOST SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

**** COMMISSIONER BROWN MOTIONED TO SUSPEND THE RULES AND CHANGE THE ORDER OF THE AGENDA, BRINGING ITEM #5, CMEEC PRESENTATION, TO ITEM #3.**
**** COMMISSIONER GOLDSTEIN SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

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CMEEC: REGIONAL COMPETITIVENESS PRESENTATION

Justin Connell presented to the Commission the summer market outlook. Currently the CMEEC Rate 9 Energy Portfolio, and effectively TTD, is hedged at 70% at a price of \$3.00/MWh. The balance will be filled in, during the next few months leading up to the summer based on updated market and weather conditions, with the overarching objective to maximize regional competitiveness. As of right now, they are seeing trends that the summer weather conditions will be much hotter than in the past few years.

EXECUTIVE SESSION

- ** COMMISSIONER YOST MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL.**
- ** COMMISSIONER BROWN SECONDED.**
- ** COMMISSIONER GOLDSTEIN VOTED AGAINST.**
- ** THE MOTION PASSED 2 TO 1.**

The Commissioners, Treasurer, Mr. Smith, Mr. Scofield and Mr. Hodgson entered into Executive Session at 7:19 p.m.

- ** COMMISSIONER GOLDSTEIN MOVED TO EXIT EXECUTIVE SESSION AND RETURN TO PUBLIC SESSION.**
- ** COMMISSIONER YOST SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The Commissioners, Treasurer, Mr. Smith, Mr. Scofield and Mrs. Hodgson returned to public session at 8:05 p.m.

NICE REQUEST FOR BANNERS

Janet Evelyn spoke about the upcoming NICE Festival to be held on July 9, 2016 at Oyster Shell Park. She explained what they have been doing in terms of fundraising and sponsorships for the festival, including support from the City of Norwalk, as well as other business owners throughout the City. She is seeking funds in the amount of \$1,500 for the production of 25 banners which they would like to put up on the poles in the TTD District.

- ** COMMISSIONER GOLDSTEIN MOVED TO DONATE \$1,000 TO THE FESTIVAL, BUT NOT TO HAVE BANNERS PUT UP IN THE DISTRICT.**
- ** COMMISSIONER YOST SECONDED.**
- ** COMMISSIONER BROWN VOTED AGAINST.**
- ** THE MOTION PASSED 2 TO 1.**

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RENEWAL OF JUMAR MARKETING SERVICE CONTRACT

Mr. Smith reviewed the current Statement of Work #7 from Jumar and stated that there are no changes to the original Master Services Agreement. Commissioner Goldstein asked how many years Jumar has been our marketing company and Mr. Smith replied, three years. Commissioner Goldstein said she would like to see the contract go out to bid next year.

**** COMMISSIONER YOST MOVED TO APPROVE THE JUMAR MARKETING CONTRACT, STATEMENT OF WORK #7, IN THE AMOUNT OF \$3,000/MONTH FOR 12 MONTHS BEGINNING MAY 1, 2016.**

**** COMMISSIONER GOLDSTEIN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Smith asked the Commission to let him know if there are any specific issues from the Commission going forward that they would like him to discuss with Jumar to enhance their performance over the next 12 months.

PROCEDURAL HANDOUT

The Commission discussed the procedural handout that was sent to them by Commissioner Yost. It was the consensus that the General Manager (Jim Smith) should handle the business relationships with the TTD vendors, specifically any having to do with the day-to-day operations of the department. With regard to vendors that are involved with the Commission as it pertains to District business, it was agreed that any one-on-one meetings that the Commission would like to have with the vendors, should also include the General Manager, as the representative for TTD.

SUMMER CONCERTS

Discussion took place about the list of bands that were selected for the upcoming concert season and how the final list was determined. It was decided to try and book the Fairfield Courts for an additional concert to the series if a date is available from the City of Norwalk for the rental of the Showmobile. If there are no available dates, then some concerts may need to be rescheduled and one of the current bands may need to be cancelled in order to fit in the Fairfield Courts.

Commissioner Yost expressed his concern to the other Commissioners of a possible lawsuit if TTD cancels one of the bands that have already been retained for the upcoming summer season. It was the consensus of the other Commissioners to move forward with this process. Commissioner Yost asked Mr. Smith to check with Atty. Bove on this.

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**** COMMISSIONER GOLDSTEIN MOVED THAT FOR FUTURE YEARS THE COMMISSION FORMALLY REVIEW THE LIST OF BANDS AND TAKE A VOTE BEFORE ANY BANDS ARE CONTRACTED.**

**** COMMISSIONER BROWN SECONDED.**

**** COMMISSIONER YOST VOTED AGAINST.**

**** THE MOTION PASSED 2 TO 1.**

GENERAL MANAGER'S REPORT

Update on WWTP Solar Feasibility Analysis

Bill Solder approached Mr. Smith about some thoughts of putting solar collectors on top of the roof of the WWTP. The issued is currently being pursued with Brightfields (CMEEEC's Solar Garden vendor). Some preliminary work has already been conducted in order to determine whether or not there is enough space. Commission Brown asked if this project will save the ratepayers money or in the end be an added cost. Mr. Smith replied that it is too early in the process to determine this. If after the analysis is complete and it is determined that it will cost the ratepayers money, the project will not be done.

Update on April's Tree Lighting

Mr. Smith informed the Commission that the upcoming Tree Lighting is set for Monday, April 11, 2016 at 8:00 p.m. at the Roger Ludlow Park. Mayor Rilling and Mr. Bill Solder from the Exchange Club will be present and the Commission will have a photo opportunity.

Update on System Performance

Mr. Smith said the TTD system is doing very well and was able to sustain the recent heavy winds that we currently experienced over the past couple of weeks. There was only one small outage at Dorlan and affected only 3 to 5 customers due to a tap burning down and they were restored within an hour.

Update on Sea Wall Repair

Mr. Scofield presented 4 bids to the Commission with his recommendation of Guinta-Bolduc Mason Contractors in the amount of \$19,750.00. Mr. Bolduc comes highly recommended for sea wall repairs in the Westport/Norwalk area. In addition to Guinta-Bolduc Mason, an Engineer will need to be contracted in order to assist in filling out the necessary paperwork for permits required by DEEP. This additional cost would be approximately \$5,000. Mr. Scofield expressed his concern that this repair needs to be done as quickly as possible in order to prevent any further damage to the wall, as well as a danger on the property for anyone who may be in the park. It has been roped off until the work can be completed.

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Mr. Smith has also spoken to a representative from the insurance carrier, Nationwide, and they indicated that there is coverage up to \$25,000.00 for this type of claim.

It was the consensus of the Commission that Mr. Scofield move forward on this project and get the repair done as quickly as possible.

Commissioner Yost asked if any of the contractors have looked at the wall in its entirety. The contractors have and it was suggested that TTD consider having work performed on the rest of the wall a section at a time over the next few years.

DISCUSSION/ANALYSIS OF FINANCIAL STATEMENTS/KEY PERFORMANCE

Mr. Smith said through the first eight months revenues are up 8%. Expenses are flat, indicating that they are under control. Other Income is down due to the Norden Generators not running as much. Other Expenses remains about the same. Net Income is at \$750,593, which is up considerably from last year. TTD continues to maintain its cash balances. The CMEEC principal continues to be paid down. The Patriot loan continues to be paid down and is currently at \$43,000 and should be paid off within the next 3 months.

KPI's

Operating Ratio is still slightly over 100% and we continue to work to bring that down. Power Supply Expense Ratio is right where it should be. Bad Debt is on the right track as work is continued to be done by cleaning up the aging report and the liens. System Load Factor will begin to go up as Cervalis increases.

PCA

Continues to go down. Once it reaches a neutral number (or zero), then a decision will be made whether or not to adjust the PCA figure.

PROJECT SUMMARY

Cablevision Pole Attachments – TTD is expecting a check from Cablevision for approximately \$29,000.00 for the past years, as well as approximately \$10,000 for each year going forward.

Storage Facility – A couple of bids have been received. Atty. Bove is working P&Z to move the process along.

SCADA System – Trying to finish up. There have been some problems with the current vendor.

Fuel Tanks – New fuel tanks have been ordered. It could take up to 20 weeks to receive them, as they are custom made.

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Metro North Bridge Project – Mr. Smith will be receiving more information on this next week.
As an FYI, all maps will be digitized for the project.

ADJOURNMENT

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

The meeting adjourned at 9:42 p.m.

Respectfully submitted,

Cynthia Tenney
Executive Assistant
Third Taxing District