

FINAL

THIRD TAXING DISTRICT
of the City of Norwalk
Special Commission Meeting
February 14, 2017

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

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

PUBLIC: Sarah Mann and Diane Cece

CALL TO ORDER

Commissioner Brown called the meeting to order at 4:30 p.m. A quorum was present.

PUBLIC COMMENT

Ms. Mann spoke to the Commission about some concerns at the East Norwalk Library. She informed them that there is a leak in the upstairs ladies room sink and asked that it be repaired. It was not urgent and didn't require immediate attention. She also shared her concern about outsiders (possibly Enterprise) using the parking lot, making parking difficult for any organization that has rented the downstairs room for meetings. She requested signs be put in place that read "Library Parking Only." Mr. Smith said he would look into this for her. Commissioner Yost suggested that Enterprise be spoken to in case they would want to pay for parking, with the exception of days the library needs all of the parking.

Ms. Mann also wanted to inform the Commission that the Library will be raising the room rentals across the board and eliminating the renters' storage units in the lower level. This was an operational decision on the part of the Library Board and just wanted to extend this information as a courtesy to the Commission, as one of the renters does business with both the Library and TTD.

Ms. Cece asked the Commission to clarify the nature of the meeting's agenda item and then she would like to address her comments to the Commission. Ms. Cece's first remark was about the meeting being held at 4:30 p.m. and posted just under the time limit. It does not allow any working ratepayers to attend and hoped that this meeting was just an exception to the rule. Commissioner Brown told her it was an exception.

She talked about the agenda item speaking to the date of Annual Meeting. She would like to understand why the date would be in question, as the Charter stipulates the Annual Ratepayers Meeting be held the first Wednesday in March. She said there should not be any debate about it.

FINAL

She called it the Ratepayers Meeting, because as she understands it from the Charter, it is the Ratepayers Meeting. It is not a Commission Meeting addressing the ratepayers. Once the meeting is opened and a Chair is elected, it becomes a meeting of the ratepayers and is run by the elected Chair. She believes the meeting would go on whether or not if a Commission is in attendance or not. There is no requirement that a Commissioner be in attendance.

Ms. Cece's comment to this is if there is any intention of moving the date of the meeting, she would like to know as a ratepayer who is requesting the change and specifically why, because moving the date should only happen in extraordinary circumstances. She continued to say that if the intent of the agenda item is to move the date, she would like to know who made the request and why. Ms. Cece suggested that she assumed it was Commissioner Yost, to which Commissioner Yost replied, good assumption.

Commissioner Brown said he didn't believe anyone made a request. He said that the Commission became aware of the fact that one of the Commissioners could not make the meeting on the scheduled night. He said that as a total Commission why not postpone the meeting.

Ms. Cece feels that the meeting should remain on March 1st and that the Commission is obligated to keep it on March 1st whether or not someone from the Commission could make it to the meeting.

Dr. Intriери apologized to Ms. Cece for the inconvenience of a 4:30 p.m. meeting and said it was not scheduled with malice. He would like to see the full Commission at the meeting. The Commission checked with legal counsel and it was determined that they could.

Ms. Cece would like to have a ruling from a different legal counsel. Ms. Cece urged the Commission to vote no to changing the date of the meeting.

Commissioner Brown stated that this was reviewed with legal counsel. He went as far to say that the Charter states "shall" have a meeting, not "will" have a meeting.

Ms. Cece stated that no matter what the reason, she believes the meeting should remain on March 1st.

DECISION ON DATE OF ANNUAL MEETING

Commissioner Yost said that this appears to be "form over substance" and that the Commission is flexible for the public who wants to comment also. Commissioner Yost indicated that they do not hold to a timetable and are very loose in format for their benefit. Commissioner Yost spoke about the Commission and even though they are a small group they do accomplish quite a bit and are flexible at times. He stated that he had a personal commitment and that he is going to hold to that commitment. He thought that since the Commission had been flexible in those situations in the past that it would not be a problem to move the date of the meeting one week.

FINAL

**** COMMISSIONER YOST MOVED TO MOVE THE MEETING ONE WEEK FROM MARCH 1, 2017 TO MARCH 8, 2017.**

**** COMMISSIONER BROWN SECONDED.**

Commissioner Brown opened the motion for discussion.

Commissioner Goldstein made the observation that the issue was discussed quietly on the previous Friday (February 9th) about a possible date change. She left that round of discussion with the impression that the meeting was not going to be moved. She stated that in addition, the discussion took place only a couple of hours after the Commission had completed the agenda and the PR campaign for March 1st. She was told the meeting date was not going to be changed.

Commissioner Goldstein was very surprised and upset when she opened her email on Monday, February 13th and saw multiple emails saying the meeting had been moved to March 8th, that the venue was being explored for March 8th, that counsel had been consulted and it looked like it was moving ahead without even a meeting or checking with her for her availability. She said the Commission was going to move the meeting and violate the Charter in order to make the meeting accessible for one Commissioner and possibly bump another. No one had the courtesy to inform Commissioner Goldstein what was taking place. Commissioner Goldstein thought that after the phone calls on Friday, everything was a done deal.

Commissioner Goldstein had originally made plans for March 1st and did not pursue them in order to attend the scheduled March 1st date of the Annual Meeting. She indicated that Legal Notice had already been given to the ratepayers for a March 1st date. Commissioner Goldstein stated that it is not the Commission's meeting; it is the ratepayers' meeting.

Further discussion continued around the issue.

Commissioner Yost apologized for causing a problem by asking for a change of date for the Annual Meeting.

The motion was read again at this time.

**** COMMISSIONER BROWN MOVED TO CHANGE THE MEETING DATE OF THE ANNUAL MEETING FROM MARCH 1, 2017 TO MARCH 8, 2017.**

**** COMMISSIONER YOST SECONDED.**

**** COMMISSIONER YOST ACCEPTED.**

**** COMMISSIONERS BROWN AND GOLDSTEIN OPPOSED.**

**** MOTION FAILED.**

The Annual Meeting will be held on Wednesday, March 1, 2017.

FINAL

ADJOURNMENT

**** COMMISSIONER GOLDSTEIN MOVED TO ADJOURN.**

**** COMMISSIONER BROWN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 5:22 p.m.

Respectfully submitted,

Cynthia Tenney
Executive Assistant
Third Taxing District