

FINAL

**CITY OF NORWALK  
THIRD TAXING DISTRICT  
REGULAR MEETING  
SEPTEMBER 9, 2013**

**ATTENDANCE:** Charles Yost, Chair; David Brown

**STAFF:** James Smith, General Manager; Ron Scofield, Assistant General Manager

**OTHERS:** Tabor Hamilton, Jim Anderson, Joseph Cristino, Cristino Associates

**CALL TO ORDER.**

Commissioner Yost called the meeting to order at 7:03 p.m. A quorum was present.

**EXECUTIVE SESSION**

**\*\* COMMISSIONER BROWN MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING.**

**\*\* COMMISSIONER YOST SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The Commission entered into Executive Session at 7:03 p.m. They returned to public session at 7:15 p.m.

**MINUTES OF MEETING –AUGUST 5, 2013 - PAGES 1 THRU 5.**

**\*\* COMMISSIONER BROWN MOVED THE MINUTES OF THE AUGUST 5, 2013 MEETING.**

Page 3, under **Discussion/Analysis of the Financial Statement**, paragraph 1, line 3: please change “over seven million units of energy” to “over seven million kilowatt hours (kwhs)”.

Mr. Smith indicated that there was a statement made in the following paragraph that there would be a separate accounting for the 100<sup>th</sup> Anniversary Event at the next meeting . He then distributed copies of an expense report and reviewed the figures with the Commissioners. Mr. Smith stated the total expense was \$4,490.66 for the entire event.

**\*\* COMMISSIONER YOST SECONDED.**

**\*\* THE MOTION TO APPROVE THE MINUTES OF THE AUGUST 5, 2013 MEETING AS CORRECTED PASSED UNANIMOUSLY.**

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## **GENERAL MANAGER'S REPORT.**

### **Update on Fitch Street / Cervalis Project.**

Mr. Smith said that Mr. Cristino was present to address the technical aspects of the Cervalis Project.

Mr. Smith then went on to speak about the Fitch Street project. He directed everyone's attention to page 8 of the financial statements and the amount of funding spent to date. He reviewed the figures for the Data Center with the Commissioners at this time, also.

Mr. Smith then gave an overview of the status of the Fitch project as outlined in the memo addressed to him from Christopher B. Ellis dated September 5, 2013.

Mr. Cristino answered several questions about the fencing installation and other issues. Discussion followed about the details of the ongoing construction at the Fitch Street project. He also updated the Commissioners on the status of the Cervalis project.

### **Update on Rate Study.**

Mr. Smith said that there had been discussion with USF about various financial solutions. The presentation is being fine tuned. When it is completed, a meeting should be scheduled for the Commission. Discussion followed about the date for the special meeting. The Commissioners agreed to meet on September 17th at 6:00 p.m. for the presentation.

### **Update on June 30, 2013 Financial Audit.**

Mr. Smith reported that everything was on track to have the audit completed by October 15th. The figures for the library will be ready on time. He said that it takes approximately four or five weeks. Last year's audit was done around Christmas time, which was unacceptable.

## **DISCUSSION/ANALYSIS OF FINANCIAL STATEMENTS.**

Mr. Smith directed everyone's attention to the Financial Highlights in the information packet. The Third Taxing District had a good month. The District was able to transfer almost \$88,000 to the rate stabilization fund in July. Mr. Smith reviewed the individual line items with the Commissioners and reminded everyone that the CMEEC bill had been paid, which resulted in a smaller than normal ending cash balance the last week of the month, particularly the result of a week of extremely hot weather.

## **FOLLOW UP ON ROWAN STREET PROPERTY.**

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Mr. Smith then updated the Commission on the status of the Rowan Street property. Atty. Bove and Mr. Smith have had several meetings with Mr. and Mrs. Bento about the property. The issue is still under negotiation.

**FITCH STREET SUB-STATION PROJECT/CHANGE ORDERS.**

Mr. Smith stated that most of the items for the change orders had already been discussed earlier. They are outlined in the information packet from pages 9 thru 15. Mr. Cristino then reviewed the details of the various changes listed on page 13 of the packet with the Commissioners. He also spoke about the impact that the East Avenue widening proposal might have on the Fitch Street station if the State proceeds with the widening of the street.

Mr. Brown asked how the projected costs were calculated. Mr. Smith explained that the figures were from the original budget. Mr. Brown asked for more details. Mr. Smith replied that the budget for this project was constructed by the previous General Manager and Mr. Cristino. Mr. Smith reviews the actual costs in relation to the budget, based on the invoices presented. A budget vs. actual report is prepared each month and is reviewed by the General Manager, Joe Cristino and the department accountant.

Mr. Yost asked if there were additional oversights. Mr. Smith gave an example of how requirements might change over the course of a project, which results in change orders. He said that the District has not hired an outside contractor as a double check, since there are numerous internal controls in place.

**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 and Mr. Smith entered into Executive Session to discuss legal contracts and employment issues at 8:14 p.m. They returned to public session at 8:45 p.m.

- \*\* COMMISSIONER BROWN MOVED TO SUSPEND THE RULES AND NOMINATE CHARLIE YOST AS COMMISSION CHAIRMAN**
- \*\*COMMISSIONER YOST SECONDED**
- \*\*THE MOTION PASSED UNANIMOUSLY**

**ADJOURNMENT.**

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

**\*\* COMMISSIONER YOST SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:49 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services