

FINAL

**THIRD TAXING DISTRICT**  
of the City of Norwalk  
Commission Meeting  
March 5, 2018

**ATTENDANCE:** Commissioners: David Brown, Chair; Debora Goldstein;  
Pamela Parkington; Treasurer: Johnnie Mae Weldon

**STAFF:** Kevin Barber, General Manager; Ron Scofield, Assistant General  
Manager; Mike Adams, General Line Foreman

**OTHERS:** Matt Allred (Bliss Allred & Co.)  
Peter Johnson (CMEEC Ratepayer Representative)  
Sue Gabrielle (Norwalk Veterinary Hospital)  
Officer Monterez (Norwalk K9 Unit)

**CALL TO ORDER**

Commissioner Brown called the meeting to order at 7:06 p.m. A quorum was present.

**PUBLIC COMMENT**

No one from the public was in attendance to comment.

**\*\* COMMISSIONER BROWN MOVED TO SUSPEND THE RULES TO REORDER  
THE AGENDA AND BRING, ANIMAL NATION DONATION REQUEST, TO ITEM #2.  
\*\* COMMISSIONER GOLDSTEIN SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**ANIMAL NATION DONATION REQUEST**

Ms. Gabriele spoke to the Commission and explained that the fundraising benefits three organizations – Norwalk K9 Unit, Fairfield K9 Unit and Animal Nation. Last year's fundraiser provided a donation to each organization for approximately \$10,000. It is their hope to raise enough funds this year so that each organization will receive approximately \$15,000. The event will be held on April 28, 2018 at St. Ann Club. Depending on the amount of a donation, the sponsor will be able to place an ad in the event's booklet and possibly receive tickets to the event.

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The Commission discussed the request for the donation and how much they would be willing to donate. A sponsorship for \$500 (Pointer) was discussed. This would include a half page ad and two tickets to the event.

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

**\*\* COMMISSIONER PARKINGTON SECONDED.**

**\*\* COMMISSIONERS BROWN AND PARKINGTON ACCEPTED.**

**\*\* COMMISSIONER GOLDSTEIN OPPOSED ON THE BASIS THAT THEY HAVE ATTESTED THAT THE FUNDS WILL BE USED PRIMARILY TO BENEFIT EAST NORWALK RESIDENTS AND BUSINESSES AND IN FACT DO NOT. IT IS NORWALK AND FAIRFIELD.**

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

### MINUTES OF MEETING

#### February 5, 2018 Special Meeting

The following corrections were noted:

- Page 3, 1<sup>st</sup> paragraph, second line – remove “come up with a plan on how to deal with him” and replace with “formalize an approach to communicate with him.”
- Page 3, 7<sup>th</sup> paragraph, line 3 – add the word “shingles” after “solar.”

**\*\* COMMISSIONER GOLDSTEIN MOVED TO APPROVE THE MINUTES OF FEBRUARY 5, 2018 SPECIAL COMMISSION MEETING AS CORRECTED.**

**\*\* COMMISSIONER PARKINGTON SECONDED.**

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

#### February 6, 2018 Special Meeting

**\*\* COMMISSIONER BROWN MOVED TO APPROVE THE MINUTES OF FEBRUARY 6, 2018 SPECIAL COMMISSION MEETING.**

**\*\* COMMISSIONER GOLDSTEIN SECONDED.**

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

#### February 12, 2018 Regular Meeting

The following corrections were noted:

- Correct the date in the footer from February 5, 2018 to February 12, 2018.
- Page 2, Motion on Forum – write out the names of the Commissioners that accepted and abstained the motion.

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- Page 2, 5<sup>th</sup> Paragraph, line 3 – “Walkbridge” should be “Walk Bridge.”
- Page 3, 2<sup>nd</sup> Motion, write out the names of the Commissioners that accepted and abstained the motion.
- Page 3, 2<sup>nd</sup> to last Paragraph, last line – add “as the meeting Chairman” after the word “serving.”
- Page 4, 1<sup>st</sup> Paragraph under Financials – add “the District’s Accountant,” after “Mr. Allred.”
- Page 4, 1<sup>st</sup> Paragraph under Financials, last line – change “is” to “was.”
- Page 4, 2<sup>nd</sup> Paragraph under Financials – spell out “WIP” as “Work in Progress.”

**\*\* COMMISSIONER GOLDSTEIN MOVED TO APPROVE THE MINUTES OF FEBRUARY 12, 2018 REGULAR COMMISSION MEETING AS CORRECTED.**

**\*\* COMMISSIONER PARKINGTON SECONDED.**

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

### **DISCUSSION/ANALYSIS OF FINANCIAL STATEMENTS/KEY PERFORMANCE INDICATORS**

Mr. Allred, the District’s Accountant, reviewed the Financial Highlights and Footnotes with the Commission. Net Income was \$1,100,092, an increase of 7% over last year. Net Income Before Rate Stabilization was \$979,772, an increase of 1655% over the previous year, which was (\$63,008).

Cash Balances continue to be in good shape. Operating Accounts are \$2,154,349, Construction Work in Progress is \$29,694, Savings is \$516,395 and Capital Improvements Fund is \$1,367,630 which reflects the CMEEC Equity Transfer of approximately \$356,000.

Outstanding Principal Balance with CMEEC continues to decrease. The current balance is \$3,257,459, down 1,088,124 from July 1, 2016.

KPIs – Mr. Allred reviewed the KPIs with the Commission. All items continue to be in line with the Industry Average.

PCA – The PCA remains in over-collection. Messrs. Allred and Barber are still working on the analysis for the Commission.

Mr. Allred reviewed the Profit & Loss actuals for the 2<sup>nd</sup> quarter. All items are tracking well and are in good shape. He also reviewed the Five-Year Capital Budget to date and overall costs are on track as projected.

## GENERAL MANAGER'S REPORT

### Lights for Ludlow Tree Quote

Mr. Barber followed up with the Commission from the January 8, 2018 Commission meeting with regard to doubling the lights for the tree in Roger Ludlow Triangle. Mr. Barber presented the quote received from Reinders in the amount \$1,638.92. It is his recommendation to proceed with the purchase of the lights.

Commissioner Brown asked about any signs that we had used in the past. The signs used in the past were small lawn signs which were donated by Signs by Anthony. Due to the size, passersby were not able to read them. Commissioner Brown would like Mr. Scofield to contact Signs by Anthony and get a quote for larger signs.

Discussion took place about where the funds should be taken from to purchase the lights. It was suggested to use any remaining District funds from the Annual Christmas Tree Lighting. If there is not enough, possibly use the Parks Budget or if need be, Contingency.

**\*\* COMMISSIONER GOLDSTEIN MOVED TO APPROVE THE PURCHASE OF THE ADDITIONAL LIGHTS WITH THE BUDGET LINE ITEM SO DESIGNATED.**

**\*\* COMMISSIONER PARKINGTON SECONDED.**

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

## ROWAN STREET BUILDING BIDS

Mr. Barber reviewed the events to date in obtaining the bids for the Rowan Street Storage Facility. During February, the staff brought to the Commission's attention on an informational basis the four bids that were received on the construction of the building. The bids exceeded what both TTD and Gill & Gill were expecting. The lowest of the four bids was just over \$1 million.

Mr. Adams met with Gill & Gill again to discuss some value engineering changes to the building. Once determined, a meeting was held with the three lowest bidders to see what value engineering could be done. Based on the meetings, a list of changes was compiled and sent out for re-bidding.

There was a price reduction on all of the new bids based on the new specs, ranging from \$183,000 to \$335,000. The low bid from Diversity Construction Group went from \$1,057,000 to \$843,200. The next step was for a review of the bids and vetting of the contractors by Gill & Gill. Based on their review, staff is comfortable with the bid from Diversity Construction Group in the amount of \$843,200. The staff/Gill & Gill are recommending a contingency of 5% be added to this.

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Mr. Barber and the staff are recommending the Commission approve the bid provided by Diversity Construction Group in the amount of \$843,200 plus a 5% contingency for a total of \$885,360.

The project will span over two fiscal years and be funded as follows from the capital budget: FY2017-18 for \$500,000 (already appropriated) and FY2018-19 for \$385,360 (to be budgeted). The contractor has estimated the project to take six (6) months to complete.

The Commission discussed the changes that were proposed for the building and asked many questions, which were answered by staff. Mr. Johnson asked Mr. Adams why the building could not be a pre-fab which would be much less expensive. Mr. Adams said due to the size of the building (2-1/2 stories) and the mezzanine, this would not be a typical pre-fab building. It also would not have the same look and feel that was trying to be obtained for the neighborhood.

**\*\* COMMISSIONER BROWN MOVED TO ACCEPT THE RECOMMENDATION OF HIRING DIVERSITY CONSTRUCTION GROUP, LLC IN THE AMOUNT OF \$843,200 WITH A 5% CONTINGENCY FOR A TOTAL OF \$885,360.**

**\*\* COMMISSIONER GOLDSTEIN SECONDED.**

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

### **STRATEGIC PLANNING DISCUSSION**

Commissioner Goldstein informed the Commission that she had asked that Strategic Planning be put on the agenda for every first Monday Commission meeting. It is her belief that this will assist the Commission in beginning the work that is needed and moving the Commission along. Commissioner Goldstein would like to bring both Commissioner Parkington and Treasurer Weldon up-to-date on the process.

Commissioner Goldstein asked the Commission for their ideas on how they would like to proceed moving forward. After much discussion, the idea of picking out a particular item to discuss or breaking down into smaller pieces might be the best way to start off the process. Some of the topics include: Charter, ByLaws and Policies/Procedures.

In order to bring Commissioner Parkington and Treasurer Weldon up-to-date, it was requested that staff send out all pertinent files/decks from the Strategic Planning sessions that had been held in the past.

### **PROJECT SUMMARY**

A-Base Meters – Commissioner Goldstein asked if there was any way that this project could get finished up, as there are only 108 meters left to change out. A discussion took place as to why these last meters have not been replaced. Staff will investigate the problems involved and research solutions.

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Capital Budget – Commissioner Goldstein was pleased to see that reality checks are being made against the budgets.

Scada – This project is complete.

- \*\* COMMISSIONER BROWN MOVED TO SUSPEND THE RULES AND ADD TWO AGENDA ITEMS – VOTE FOR CHAIRMAN AND LIBRARY RESOLUTION.**
- \*\* COMMISSIONER GOLDSTEIN SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

### VOTE FOR CHAIRMAN

The Commission discussed when Commissioner Brown was elected to the position of Chairman and whether or not a policy/procedure was put in place to elect a new Chairman moving forward.

Research will be conducted on this subject by staff and brought back to the Commission at the April 2, 2018 meeting.

- \*\* COMMISSIONER GOLDSTEIN MOVED TO TABLE VOTE FOR CHAIRMAN TO THE APRIL 2, 2018 MEETING.**
- \*\* COMMISSIONER BROWN SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

### LIBRARY RESOLUTION

Commissioner Goldstein presented a draft Library Resolution to the Commission in view of the upcoming Annual Meeting and the change that the Commission recommended to the East Norwalk Improvement Association’s request for funds on the District Budget. The Commission discussed the Resolution, and made a revision to the last paragraph.

### **THIRD TAXING DISTRICT – CITY OF NORWALK RESOLUTION**

#### **Resolution to establish guidelines regarding newly established district budget line item “Library Contingent Fundraising Match”**

WHEREAS, members of the East Norwalk Improvement Association board of directors made their initial budget presentation and request for a budget transfer for the library for fiscal year 2018-2019 in the amount of \$180,000 to the Third Taxing District Commission on October 16, 2017; and

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WHEREAS, members of the East Norwalk Improvement Association board of directors determined that their fundraising targets needed adjustment based upon the prior year's performance and requested the opportunity to make a revised budget presentation for the library; and

WHEREAS, members of the East Norwalk Improvement Association board of directors made their revised budget presentation and request for a budget transfer for the library for fiscal year 2018-2019 in the amount of \$188,500 to the Third Taxing District Commission on February 5, 2018; and

WHEREAS, the East Norwalk Improvement Association board of directors and the Third Taxing District Commission discussed the status of the fundraising efforts and representations made to the rate-payers at the 2017 Annual Meeting of Rate-Payers of the Third Taxing District; and

WHEREAS, the East Norwalk Improvement Association board of directors voluntarily removed a budget item relating to 401(k) benefits for library employees, reducing the request for a budget transfer for fiscal year 2018-2019 to \$185,900; and

WHEREAS, the Third Taxing District Commission met on February 12, 2018 to review and discuss the District Budget and determine its final recommended budget to be presented to the rate-payers at the annual meeting scheduled for March 7, 2018; and

WHEREAS, the Third Taxing District Commission determined that the rate-payers could not be expected to continue to make up for all fund-raising shortfalls after the East Norwalk Improvement Association board of directors raised its base-line budget request in fiscal year 2017-2018, and

WHEREAS, the Third Taxing District Commission determined that it was desirable to encourage the independent fundraising efforts of the East Norwalk Improvement Association and decided to do so by revising the budget recommendation for the library to \$162,900 and creating a district budget line item entitled "Library Contingent Fundraising Match" and funding it in the amount of \$11,500; and

WHEREAS, the Third Taxing District Commission wishes to clarify the conditions under which the contingent funds are to be released to the East Norwalk Improvement Association;

NOW THEREFORE BE IT RESOLVED that, beginning on July 1, 2018, the funds available under the Library Contingent Fundraising Match will be used to match any funds raised by the East Norwalk Improvement Association, including any funds transferred to it by a 501(c)3 organized specifically to raise funds for the library, on a dollar for dollar basis, up to the maximum amount approved by the rate-payers (if any), at the 2018 Annual Rate-Payers Meeting of the Third Taxing District; provided that such fundraising is in the form of cash grants or other outside contributions made in cash (excluding fees charged by the library, room rentals, and grant funds from the Third Taxing District), and are verified on a quarterly and annual basis by the Third Taxing District as reported on East Norwalk Improvement Association P&L statements and posted to their accounts. The matching fund distributions will be payable within thirty (30) days of the last day of a fiscal quarter.

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**\*\* COMMISSIONER GOLDSTEIN MOVED TO ADOPT THE ABOVE RESOLUTION AS AMENDED.**

**\*\* COMMISSIONER PARKINGTON SECONDED.**

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

**ADJOURN**

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

**\*\* COMMISSIONER GOLDSTEIN SECONDED.**

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

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Cynthia Tenney  
Executive Assistant  
Third Taxing District