

FINAL

THIRD TAXING DISTRICT
of the City of Norwalk
ZOOM/Telephonic Special Commission Meeting
February 17, 2021

ATTENDANCE: Commissioners: Johnnie Mae Weldon, Chair; Pamela Parkington; Michele Sweeney; Read Auerbach, Treasurer (5:08 p.m.)

STAFF: Kevin Barber, General Manager;
Ron Scofield, Assistant General Manager/District Clerk

OTHERS: Atty. Stephen Studer, Berchem Moses

The Special Commission Meeting of February 17, 2021 was held via ZOOM and telephonically. All participants could hear and be heard.

CALL TO ORDER

Commissioner Weldon called the meeting to order at 5:00 p.m. A quorum was present.

PUBLIC COMMENT

No one from the public was in attendance to comment.

ANNUAL RATEPAYER MEETING

Mr. Barber recapped the discussion that took place at the January 25, 2021 meeting about the Annual Meeting. The meeting, per the Charter, is scheduled for March 3, 2021 (the first Wednesday in March). Due to the pandemic, there are difficulties involved in trying to hold the meeting as scheduled. The Marvin, where the meeting is usually held, is not allowing access into their facility at this time. The possibility of using City Hall was mentioned, but not feasible as they are closed to the public as well.

Another option was whether or not the Annual Meeting could be held virtually. While this could be done virtually, the difficulty is determining who are the actual ratepayers who can vote on the budget and any other actions items. When holding in-person meetings the ratepayers would present their identification which would then be verified against the City's voting list. Trying to

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do this virtually over a computer would be difficult and troublesome, i.e., not all participants are on camera.

Last year (2020), Governor Lamont did declare a Public Health and Civil Preparedness Emergency and then instituted an Executive Order which allowed municipalities not to hold public meetings for the purpose of approving budgets. This took place after Third Taxing District held their 2020 Annual Meeting.

This year, Governor Lamont has extended the Public Health and Civil Preparedness Emergency but has yet to issue any Executive Orders relating to Budget approvals for FY2021-22, which is the budget that would be presented to the ratepayers at this year's Annual Meeting.

Mr. Barber then contacted the District's counsel, Atty. Steve Studer, about the issue and what Third Taxing District can do. Atty. Studer is recommending that the Commission declare a Local Public Health and Civil Preparedness Emergency for the Third Taxing District. That will allow the Chairperson of the Commission (i.e., Chief Elected Official) to take steps which are normally outside the realm of their abilities. In this particular scenario, it would be to authorize the rescheduling of the Annual Meeting to a future date which is yet to be determined.

The reason would be for the safety and well-being of the ratepayers, staff, Commissioners and anyone who would be participating in the meeting. With the current pandemic, it is not the best time for Third Taxing District to hold an in-person meeting. There is still time (approximately four months) before the new District Budget would need to be approved and put in place.

Atty. Studer reviewed the steps leading up to developing the Declaration. Counsel believes that Governor Lamont will not be instituting any Executive Orders for municipalities similar to last year in time for the District's upcoming Annual Meeting (March 3, 2021), which would allow the Commission to approve the District Budget without having to have a formal Annual Meeting with the ratepayers.

Atty. Studer and his staff put together a Declaration of Local Public Health and Civil Preparedness Emergencies for Third Taxing District that a Chief Elected Official of a typical municipality would implement. Atty. Studer agrees that is probably in the best interest of the ratepayers not to hold an in-person meeting that is not immediately necessary because the Commission has the luxury of being able to postpone the meeting up to 90 days without having any adverse impacts.

**** COMMISSIONER PARKINGTON MOVED TO APPROVE THE PROPOSED DECLARATION AND AUTHORIZED JOHNNIE MAE WELDON, CHAIRPERSON, TO DECLARE THE EMERGENCY AND TO USE HER AUTHORITY TO POSTPONE AND DEFER THE ANNUAL MEETING FOR UP TO 90 DAYS.**

**** COMMISSIONER SWEENEY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

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ADJOURNMENT

**** COMMISSIONER PARKINGTON MOVED TO ADJOURN.**

**** COMMISSIONER SWEENEY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 5:25 p.m.

Respectfully submitted,

Cynthia Tenney
Executive Assistant
Third Taxing District