

FINAL

**THIRD TAXING DISTRICT**  
of the City of Norwalk  
ZOOM/Telephonic Commission Meeting  
April 26, 2021

**ATTENDANCE:** Commissioners: Johnnie Mae Weldon, Chair; Pamela Parkington;  
Michele Sweeney

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

**OTHERS:** Peter Johnson, CMEEC Ratepayer Representative  
Atty. Bryan LeClerc, Berchem Moses

The Commission Meeting of April 26, 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 6:34 p.m. A quorum was present.

**PUBLIC COMMENT**

No one from the public was in attendance to comment.

**NORWALK TREE ALLIANCE DONATION REQUEST**

Mr. Barber informed the Commission that Third Taxing District has been supporting the Norwalk Tree Alliance for the past five years and that this would be the sixth year for their request. All of the years except for the first one has been done through a lottery for the residents of East Norwalk.

This past year (Spring of 2021), 25 trees were planted, consisting of large canopy trees and smaller flowering trees. The reason for so many trees this year, was that there were eight trees left over from the prior year, plus the Norwalk Tree Alliance matched TTD's donation for 2020/21.

They are once again requesting a donation of \$2,500 for the fiscal year 2021/22.

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**\*\* COMMISSIONER PARKINGTON MOVED TO APPROVE THE NORWALK TREE ALLIANCE DONATION REQUEST IN THE AMOUNT OF \$2,500 TO BE FUNDED OUT OF OTHER DISTRICT SERVICES IN THE DISTRICT BUDGET WHICH WILL BE AWARDED AFTER JULY 1, 2021.**

**\*\* COMMISSIONER SWEENEY SECONDED.**

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

### **MINUTES OF MEETING**

March 22, 2021 Regular Meeting

**\*\* COMMISSIONER SWEENEY MOVED TO APPROVE THE MINUTES OF MARCH 22, 2021 REGULAR MEETING.**

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

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

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

Mr. Barber reviewed the Financial Highlights with the Commission for the month of March 2021. Total Income is \$6,799,209 versus \$7,073,494 for last year, a difference of (3.88%) which is a reflection of the PCA being lowered to zero. Total Expense is \$6,850,865 versus \$7,048,184 for last year, a difference of (2.80%). Net Income before Rate Stabilization is \$504,935 versus \$75,834 from last year or a difference of 566%. Net Income after Rate Stabilization is \$195,850 versus (\$39,286) for last year, a difference of 599%.

Total cash balance on hand is \$7,509,104. Of this, the Capital Improvement Fund is \$2,644,808. Current outstanding principal balance with CMEEC is \$3,130,028. Current Fiscal Year Capital additions to date is \$137,898.

Mr. Barber reviewed the P&L for the Electric Department. All categories are in good shape except for the Purchased Power Adjustment (PPA) which shows no income due to the PCA being reduced to zero in order to provide relief to customers. The Cervalis Data Center revenue has been doing very well. For the month of March it is above budget. Cervalis has notified TTD that they are expanding and TTD should expect to see more revenue over the next few months. The Norden Income is at \$28,500 for the month of March. At this time, the generators remain off-line, but staff is working to get them back up and running.

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The P&L for the District is in very good shape and as a whole is under-budget. This is due largely in part to the pandemic which prohibited TTD from having summer concerts at the beach and the Christmas Tree lighting. The one category which is over-budget is for the East Norwalk Cemetery. This is due to the tree clean-up from storm damage and the repair of the cemetery fence which was damaged in the Fall of 2020.

KPI's: They remain in good shape. Outstanding Receivables greater than 90 days is \$57,784, an increase from last year, which is a result of the pandemic.

RSF: The current balance of the RSF (Rate Stabilization Fund) is \$3,994,553, which is still above the target. It is forecasted to drop to approximately \$3.8 million by the end of this fiscal year. It will then begin to increase based on CMEEC's forecasted power costs. Currently, TTD is scheduled to return the PCA and the billable rate for CMEEC back to its original numbers on July 1, 2021.

Accounts Receivable Analysis: The receivables continue to be in good shape. The balance of A/R which is greater than 90 days is currently \$57,784 which is still considered to be good considering the effects from the pandemic over the past year. Staff is continually working with customers to make payment arrangements or assist them in seeking outside help with their electric bills, i.e., Operation Fuel, Person-to-Person, Allianz CT and UniteCT.

### **ANNUAL MEETING UPDATE**

Mr. Barber reminded the Commission that at the February 17, 2021 meeting, the Commission voted to reschedule the Annual Meeting for up to 90 days (by June 1, 2021). Staff has been monitoring restrictions and seeking possible alternative venues since The Marvin would not allow the use of their facility. Staff has contacted both City Hall and Marvin School as possible venues. Marvin School declined the request and City Hall has yet to respond, even though TTD has provided them with all the information they requested.

Staff then contacted the Norwalk Inn and Conference Center. They have availability for the week of May 17, 2021, can set up the room theater style for up to 75 people (meeting social distancing requirements) and provide some of the A/V equipment that will be needed. After discussion, the Commission agreed upon Wednesday, May 19, 2021 to hold the Annual Meeting. Staff will firm up all details with the Norwalk Inn.

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

#### Cemetery Fence

Mr. Barber reported to the Commission that the cemetery fence has finally been repaired after approximately seven months.

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Summer Concerts

Mr. Barber told the Commission that TTD is still in a holding pattern with the concerts. With the removal of the outdoor restrictions due to occur on May 1, 2021, TTD is still not sure what the situation with the City of Norwalk is and if they will be holding concerts. Mr. Scofield has been in contact with the City of Norwalk. He is planning on speaking to them again on Monday, May 3, 2021 to see if a decision has been made. TTD's decision will be based off of the City of Norwalk's protocols for concerts.

2021/22 Operating & Capital Budgets

Mr. Barber said the budget process for the electric company has begun internally. Mr. Barber is planning to have it complete for the June Commission meeting at the very latest but is trying to target the May 24, 2021 Commission meeting.

**EXECUTIVE SESSION**

- **COSMOTRONICS v. THIRD TAXING DISTRICT – DISCUSS PENDING LITIGATION AS PER C.G.S. SECTION 1-200(6)(B) AND SECTION 1-210(b)(4)**

**\*\* COMMISSIONER SWEENEY MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS COSMOTRONICS v. THIRD TAXING DISTRICT.  
\*\* COMMISSIONER PARKINGTON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The Commissioners, Messrs. Barber and Scofield, and Atty. Bryan LeClerc entered into Executive Session at 7:11 pm

**\*\* COMMISSIONER PARKINGTON MOVED TO EXIT EXECUTIVE SESSION AND NOTED THAT NO VOTE WAS TAKEN IN EXECUTIVE SESSION.  
\*\* COMMISSIONER SWEENEY SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The Commissioners, Messrs. Barber and Scofield, and Atty. Bryan LeClerc returned to public session at 7:24 p.m.

**\*\* COMMISSIONER PARKINGTON MOVED TO AUTHORIZE LEGAL COUNSEL TO RESOLVE THE MATTER ACCORDING TO THE EXECUTIVE SESSION DISCUSSION.  
\*\* 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 7:27 p.m.

Respectfully submitted,

Cynthia Tenney  
Executive Assistant  
Third Taxing District