

SECOND TAXING DISTRICT COMMISSIONERS

Appeals Committee Meeting Minutes

October 4, 2017

Present:	David Westmoreland	Chairperson
	Maria Borges-Lopez	Vice Chairperson
	Harold Bonnet	
	Mary Geake	
	Mary Mann	
	Sandra Stokes	
Absent:	Martha Wooten Dumas	
Also Present:	Paul Yatcko	General Manager
	Lisa Roland	District Clerk
	Frank Murphy, Esq.	Tierney, Zullo, Flaherty & Murphy
	Robert Opotzner, Esq.	Collins Hannafin, PC
	Thomas Wilkenson, Esq.	Collins Hannafin, PC
	Brian Edge	Appellant

The meeting was recorded in its entirety.

Call To Order:

Commissioner Westmoreland called the Appeals Committee Meeting of The Second Taxing District to order at 6:03 p.m. on Wednesday, October 4, 2017. The meeting was held at South Norwalk Electric and Water, One State Street, Norwalk, Connecticut.

The District Clerk read the legal notice.

1. Acceptance of the Minutes

1.1 Approve Appeals Committee Meeting Minutes of June 27, 2017.

Commissioner Borges-Lopez moved to approve the minutes. Commissioner Geake seconded and Commissioner Westmoreland abstained.

The Minutes were approved 5 to 1 (abstention). (2017-06-27-1.1)

2. Appeal & Request for Interpretation of Employee Manual / Brian Edge

Commissioner Stokes made a motion to enter into Executive Session at 6:05 p.m. The motion was seconded by Commissioner Borges-Lopez.

Frank Murphy, Esq. presented the District's facts and exhibits in the case to the District Commissioners.

Robert Opotzner, Esq. presented the appellants facts and exhibits in the case to the District Commissioners.

Commissioner Geake made a motion to end Executive Session at 7:25 p.m. The motion was seconded by Commissioner Bonnet.

The appellant, General Manager (Paul Yatcko) and attorneys Murphy and Opotzner were dismissed.

Commissioner Mann made a motion to enter Deliberations to discuss the issues presented in the Appeal (Executive Session) at 7:30 p.m. The motion was seconded by Commissioner Borges-Lopez.

The Commissioners and the District Clerk (Lisa Roland) remained for discussion on the matter.

After reviewing all of the materials presented and after a lengthy discussion amongst the Commissioners, the Commissioners voted and came to a decision.

Commissioner Mann made a motion to end the Deliberation (Executive Session) at 8:03 p.m. It was seconded by Commissioner Borges-Lopez.

Motion: The Commission was asked to determine whether or not they uphold and affirm the interpretation supplied to Mr. Edge (Appellant) from the General Manager's (Paul Yatcko) letter of September 5, 2017.

The Commission has found that they do uphold the interpretation of the General Manager's letter dated September 5, 2017 to Mr. Edge. The motion passed 5 For and 1 Abstention (Commissioner Stokes) that Brian and Christine Edge are not entitled to a continuation of benefits through SNEW at no cost to each, under section 7.2 of the SNEW Employee Manual.

Adjournment

Commissioner Borges-Lopez Mann moved to adjourn. Commissioner Geake seconded.

The meeting adjourned at 8:10 p.m.

Attest:
Lisa G. Roland
District Clerk