

**SECOND TAXING DISTRICT COMMISSIONERS**

Regular Meeting Minutes

April 16, 2019

Present:	David Westmoreland	Chairperson
	Maria Borges-Lopez	Vice Chairperson
	Harold Bonnet	
	Robert Burgess	
	Mary Mann	
	Sandra Stokes	
	Martha Wooten-Dumas (arrived 7:12 p.m.)	
Absent:	None	
Also Present:	Paul Yatcko	General Manager
	Lisa Roland	District Clerk
	Frank Murphy, Esq.	Tierney, Zullo, Flaherty & Murphy
	Alan Huth	Director of Water Operations
	Scott Murphy	Director of Electric Operations
Public Present:	None	

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*The meeting was recorded in its entirety with the exception of Executive Session.*

**Call To Order:**

Commissioner Westmoreland called the Regular Meeting of The Second Taxing District to order at 7:03 p.m. on Tuesday, April 16, 2019. The meeting was held at South Norwalk Electric and Water, One State Street, Norwalk, Connecticut.

1. Acceptance of the Minutes:

1.1 Special Meeting Minutes of February 26, 2019

Commissioner Stokes moved to accept the minutes. Commissioner Mann seconded.

The minutes were approved with Commissioner Borges-Lopez abstaining.

**(2019-04-16-1.1)**

1.2 Regular Meeting Minutes of March 12, 2019

Commissioner Borges-Lopez moved to accept the minutes. Commissioner Stokes seconded.

The minutes were approved unanimously.

**(2019-04-16-1.2)**

1.3 Electors' Meeting Minutes of March 19, 2019

Commissioner Mann moved to accept the minutes. Commissioner Stokes seconded.

The minutes were approved with Commissioner Borges-Lopez abstaining.

**(2019-04-16-1.3)**

*Public Participation*

Two Directors, Alan Huth and Scott Murphy were present. Eric Strom was not available for this meeting. Mr. Huth introduced Mr. Murphy to the Commission, and proceeded to speak on behalf of the Directors of SNEW and 25% of the SNEW staff that would remain non-union upon implementation of the recently ratified union contract.

Mr. Huth stated that treating non-union employees the same as union employees would affect their [non-union's] ability to manage the company and it [the contract] wasn't equitable to non-union employees, specifically providing very little advantages to management, as well as detrimental to attracting future management talent.

Commissioner Westmoreland asked if there were specific concerns or issues.

Mr. Huth spoke against the loss of benefits previously afforded to all employees. His concern is that management employees, including himself and Jack Plavnicky for example, were hired under terms that now appear to be changing. He made a lateral move, accepting more responsibility in exchange for great benefits. It was the benefits that lured him to SNEW. The issues he cited included the loss of 100% company paid medical premiums (the newly ratified union contract requires union employees to make a percentage contribution to the medical plan) and the loss of a 50% payout of accumulated sick time upon an employee's separation for any reason (the newly ratified union contract grants 100% payout upon a union employee's termination for retirement only and with a minimum of 10 years of service). Additionally, he expressed that the new sick time payout policy promotes absenteeism amongst those employees that do not anticipate staying at SNEW until retirement with a minimum 10 years of service and this adversely affects planning.

Commissioner Westmoreland thanked Mr. Huth for his comments.

**CONSENT AGENDA**

2. Electric Write-Offs – January 1, 2019 thru March 31, 2019

Commissioner Borges-Lopez moved to accept the consent agenda. Commissioner Burgess seconded.

The Consent Agenda was approved unanimously.

**(2019-04-16-2)**

**REGULAR AGENDA**

3. Management Update

Paul Yatcko presented.

*Reservoir Status:*

The reservoirs are full which is normal for this time of year. The reservoirs are spilling with more rain on the way.

*Mall:*

The last electrical transformer will be set, hopefully, by next week. Remaining work includes some switching and cable replacement. SNEW continues to support construction activities on the site.

*Electric outages:*

April 4 – Four customers were taken out of service on Water Street for about 1.5 hours. An electrician needed to run ground wires through our transformer room to his new load center.

April 8 – Eight customers were out twice for about 15 minutes each time. The first time due to a loose secondary connection which was quickly reconnected, but it was observed to be burning and subsequently was replaced shortly thereafter.

*Water Main Breaks:*

There were no water main breaks in the last month.

*Hiring:*

An offer was extended to a candidate for the Electrical Distribution Engineer position, but was declined due to insufficient vacation time. The position is now bargaining unit and additional vacation time could not be extended. Paul Yatcko is looking at other ways to get engineering assistance.

Candidates for the position of Director of Finance are being interviewed. A decision is expected in the near future.

*CMEEC:*

A substitute bill for Senate Bill 961 has been voted out of committee and referred to the floor of the legislature. The bill has 3 main provisions: first, it directs the State Auditor of Accounts to audit CMEEC's books of record in 2020 and 2023

at cost to CMEEC of over \$40,000 for each of those audits; second, the State's (so-called) Municipal Electric Consumer Advocate is getting \$30,000 per year with which to hire consultants to assist him (so-called because he has yet to make contact with anyone at the Second Taxing District); and, third, CMEEC is directed to implement the recommendations of the forensic examination that was conducted this past year by the firm of Cohn Resnick. The recommendations were to ensure all expenditures made were aligned with its business purposes and bylaws, to implement written policies governing charitable gifts and contributions, and finally that they refund economic development funds to the member utilities on a monthly basis.

With regard to the status of the CEO, the Board of Directors has received the report of the Special Investigator and has begun the pre-termination process as a result. A pre-disciplinary meeting as required by law will be conducted, probably in early May, and at that time the CEO will have the opportunity to provide information, reasoning or mitigating factors for the Board's consideration. After that meeting the Board will decide which direction it will take.

Commissioner Burgess commented that he didn't understand how the Municipal Electric Consumer Advocate could be doing his job and yet have funds allocated to him for an assistant. Paul Yatcko responded that the Advocate is an attorney and does not have the technical background in electric wholesale power markets and operations, and he wants to get technical assistance. Commissioner Westmoreland added that the Advocate was interested in hiring a management consultant to review the organizational structure and make recommendations.

Commissioner Westmoreland asked if the District should be asking their legislators to oppose this bill. Paul Yatcko responded that considerable progress had been made and this bill was much more acceptable than the original. He has directed the lobbyist Jim Amann to not do anything further, to let our delegation know we can live with this bill, and to keep an eye out for any unfavorable last minute changes.

### **EXECUTIVE SESSION**

Discussion Concerning the Employment, Performance & Evaluation of a Public Officer or Employee

Commissioner Borges-Lopez moved to enter Executive Session at 7:17 p.m. Commissioner Stokes seconded. The Commissioners, Attorney Frank Murphy, Paul Yatcko and Lisa Roland entered Executive Session.

Commissioner Borges-Lopez moved to exit Executive Session at 7:55 p.m. Commissioner Wooten-Dumas seconded. No action was taken as a result of Executive Session.

**Adjournment**

*The meeting adjourned at 7:56 p.m.*

Attest:

Lisa G. Roland  
District Clerk