

SECOND TAXING DISTRICT COMMISSIONERS

Regular Meeting Minutes

January 15, 2013

Present:	Mary Burgess Maria Borges-Lopez Mary Geake Sherelle Harris Mary Mann César Ramirez	Chairperson
Also Present:	John M. Hiscock Lisa Roland	General Manager District Clerk
Public Present:	Fred Belinsky	

Call To Order:

Commissioner Burgess called the Regular Meeting of The Second Taxing District Commissioners to order at 7:01 p.m. on Tuesday, January 15, 2013. The meeting was held at South Norwalk Electric and Water, One State Street, Norwalk, Connecticut.

Acceptance of the Minutes:

Commissioner Burgess: "I will call the meeting of the Second Taxing District Commissioners Tuesday, January 15, 2013 at 7:01 p.m. And I need a motion for the acceptance of two minutes."

Commissioner Borges-Lopez: "I move to accept the minutes of December 18, 2012 and the special meeting minutes of January 8, 2013."

Commissioner Burgess: "Is there a second?"

Commissioner Mann: "Second."

Commissioner Ramirez: "Just for the record I would like to abstain please. I was not here."

Commissioner Burgess: "All in favor?"

Commissioners Unanimously: "Aye."

Commissioner Burgess: “And one abstention. Ok, Public Participation. You aren’t pretending to be public are you?” [Directed to Fred Belinsky]

[Laughter]

CONSENT AGENDA

Commissioner Harris: “Is that one of John’s people, one your people?”

John Hiscock: “Yes an employee, Fred Belinsky.”

Commissioner Burgess: “Now I need a motion on the Consent Agenda.”

Commissioner Ramirez: “I will make a motion.”

Commissioner Borges-Lopez: “So moved.”

Commissioner Burgess: “Is there a second?”

Commissioner Geake: “I will second it.”

Commissioner Burgess: “All in favor?”

Commissioners Unanimously: “Aye.”

REGULAR AGENDA

Commissioner Burgess: “Ok now Regular Agenda. Now do you want to discuss this vacancy John and how it works? [Directed to John Hiscock]

John Hiscock: “Just briefly.”

Commissioner Burgess: “Ok.”

John Hiscock: “As you all know Commissioner Al Ayme has resigned from the Commission because he is no longer domiciled in Norwalk and domiciled in the Second Taxing District and domiciled is the word used in the Charter and when we put that in the Charter it was the strongest word we could find to indicate where you spent your time and where you hung your hat at night. And that was a decision by legal counsel and that is what it basically says because we have a long history of people sort of pretending to live in the District and really didn’t, but

that is ok. The other issue and it is not something we need to deal with tonight but Commissioner Ayme was the Vice Chair and at some point the Commission will have to elect a Vice Chair to replace him and that is certainly the Commission's decision. I didn't see a need to put it on the Agenda and I didn't really discuss that one."

Commissioner Burgess: "Could we do that when another Commission is seated?"

John Hiscock: "Yes."

Commissioner Burgess: "Like next meeting?"

John Hiscock: "I don't know if you will have a Commissioner by the next meeting. We will see how it goes because of the process. The process simply is that you have a letter in front of you and the replacement process starts off with this Commission declaring a vacancy and the reason this Commission has to declare a vacancy has to do with incompetency and other things. In the case of a formal resignation it is pretty hard not to declare the vacancy as the person has simply said I am not serving anymore nor can I. Once that happens, the Clerk then notifies the Chairman of the Town Committee of the party in which the Commissioner who created the vacancy is from and they have to go through a process to choose a replacement Commissioner obviously from the same party and they have sixty days to do so. If they fail to do that within sixty days of notification, it comes back to this Commission to fill the vacancy. It has never happened that way. The party does do it. We have a tendency to irritate the Town Committee Chairman because we ask for some certifications that we have had a little trouble getting in the past. We want a certification; a signature from the Chairman of the Town Committee that those individuals who voted reside and are electors of the Second Taxing District because it is a requirement of our Charter. While it is handled and managed by the Town Committee, those individuals voting are only the Town Committee members who reside in the District and they get a little uppity sometimes when we tell them to certify in writing, who was there, not how they voted but who actually voted."

Commissioner Ramirez: "If I understand correctly, they have to be in District 1 instead of District 2, is that correct?"

John Hiscock: "They have to be in B1, they have to be an elector of the District. Once that notification goes out and all of the paperwork is in, they will name the individual, I presume, and once that individual's name and I brought a copy of the Charter with me... 79d. I believe that at that point, I just want to make sure I am correct before I say this, ok and here is the issue and this is why we may or may not have one... ok 'within 60 days from the date of which the position was declared vacant'. So it will be 60 days from tonight, they have to act. 'Written notice of such appointment shall be given by the political party to the District Commissioners who shall declare such vacancy filled at the next regular or special meeting of the District.' So once it

comes back, you get the information and you get to declare the vacancy filled and then we send the individual off to get sworn in. So depending on how fast everybody acts it is possible you will have somebody seated during the next Commission Meeting or maybe it will be the meeting after that, depending on how fast everybody acts or it could actually be even the meeting after that if they take the full sixty days.”

Commissioner Ramirez: “His term was supposed to expire when?”

Commissioner Geake: “His term expires when I do, in five years.”

John Hiscock: “Just re-elected.”

Mary Geake: “He was just re-elected.”

Commissioner Harris: “I have to abstain from the last meeting. I was not here, so I have to abstain from the approval of the minutes.”

District Clerk: “Oh, ok.”

Commissioner Harris: “I am just going by what I was read. I forgot I wasn’t here.”

John Hiscock: “And there is a sample Resolution in your Board Book that you can pass or you can do it free form if you so desire, whatever you would like. And if In fact you pass this Resolution, the next thing that would happen is the Clerk would certify that the Resolution was passed and this would go along to the Democratic Town Committee Chairman as proof of the vacancy being declared and the date.”

Commissioner Geake: “So it doesn’t go to City Hall? It doesn’t go to the City Clerk; we don’t have to involve them.”

John Hiscock: “No, it has nothing to do with the City Clerk whatsoever. If in fact it goes through the process and the vacancy is filled and the individual is sworn in, we will notify the City Clerk that the action has been taken but that is the sole involvement of the City of Norwalk.”

Commissioner Burgess: “Would someone care to move the Resolution?”

Commissioner Mann: “I will move the Resolution that we declare a vacancy and that we provide it as written.”

Commissioner Geake: “I will second it.”

Commissioner Burgess: "All in favor?"

Commissioners Unanimously: "Aye."

John Hiscock: "Ok, under tab 6 you have a funding request from the Norwalk Senior Center. I gave you just a brief comment with regard to the budget and the funds available and there is a letter in the Board Book for your review and comment."

Commissioner Mann: "I do have a question. If this was submitted for 2012 and at the present time we only have a balance of \$1,000 in that account, if I am not correct, so we would have to approve it for a \$1,000?"

John Hiscock: "That is the only funding you have available, left in the Community Service budget."

Commissioner Borges-Lopez: "I have a question. Did the \$1,500 go to the Thanksgiving Dinner?"

John Hiscock: "Yes, that is where it went."

Commissioner Mann: "So, while we only have a \$1,000 left in our budget so I make a motion that we approve to give them the \$1,000."

Commissioner Burgess: "Is there a second?"

Commissioner Harris: "Second."

Commissioner Burgess: "Any discussion?"

Commissioner Geake: "Through the Chair. The only thing is that it means that anybody else that comes to us from now on is going to know that we will not be giving them any money, end of sentence. And I mean you know people that..."

Commissioner Mann: "We don't have any more left."

Commissioner Geake: "I know but I am just making the statement that they are going to know from now on that as of January we have no money left and so they can't expect any other money coming from us."

John Hiscock: "Not to take a lot of time; we get a lot of requests. Some of them make it to the Commission and some of them don't. Some of them are the general funding that they mail to

absolutely everybody and is not necessarily specific to the Commission. The one that make it to the Commission are the ones that are addressed specifically to the Second Taxing District Commission.”

Commissioner Burgess: “Is there any other discussion of the motion? All in favor?”

Commissioners Unanimously: “Aye.”

Commissioner Burgess: “Opposed?”

Commissioner Borges-Lopez: “I abstain.”

Commissioner Burgess: “One abstention.”

Commissioner Borges-Lopez: “I want it on the record that I am on the Board of Directors therefore I am abstaining from voting.”

John Hiscock: “You seem to be prominently listed on the letterhead.”

Commissioner Borges-Lopez: “I am sorry?”

John Hiscock: “You seem to be very prominently listed on that letterhead.”

Commissioner Ramirez: “Vice Chairman.”

Commissioner Mann: “I hadn’t even noticed.”

Commissioner Ramirez: “I did.”

[Laughter]

John Hiscock: “Sorry for the editorial comment.”

Commissioner Burgess: “Ok, Item 7.”

John Hiscock: “Alright, Salary Benefits and Employee Manual Report. This is something that we have historically done once every year, generally in January. There have been a few deviations from the January date when we were unionized and not unionized and then unionized again and not and back and forth and we had two different groups and we merged water and electric but ever since that timeframe, which is about 2004/2005, I believe, we have reviewed salary, benefits and employee manual issues, org chart changes and job descriptions. If you look in

your book you will see what, I am sure by now, appears to you to be very familiar. It is the same basic report, the style is the same, we essentially update the numbers, take the current CPI and go through that process and you can see that we have done so and there is the recommendation. We have included all of the CPI information. The recommendation is an increase of 2% for the employees and I am going to start there and we can deal with any questions. We go through and after we get through that we have a series of job description changes and all of those job description changes are very technical in nature, they don't change employees' function at all. It has to do with the definition of emergency work requirements and on call duty to make them consistent with the job descriptions. We made the changes to all of the job descriptions that you see listed on the next page and then if you look at Exhibit F in the back you will see certainly all of the changes to the job descriptions. There are no recommended changes to the Org Chart at all and there are changes to the Employee Manual recommended and they are not, I would not describe them as significant or substantive. Mostly they are clarifications because we run into some issues, major issues to deal with what happens when employees are given, and I know this sounds petty to you but when we are dealing with public employees sometimes and you really have to define things, what happens when one group of employees, who I will call it for the convenience of the company on a work day are told not to report to work. And it happens for various reasons and there all sorts of difficulties over that issue and there have been off and on for years because those who are told they have to report to work get upset because they don't get some sort of benefit and it really got to be absurd way back when we were unionized because the minute one person got off for the convenience of the company, everybody else wanted to be paid time and a half. So I go through and carefully define it and say it is not a holiday, it is not a day off, it is not a vacation day; it's nothing. It is for the convenience to the company. Examples, when we had the hurricane, we threw the employees out of the Water Street office because it was unsafe and we told them to go home. So that was an issue. There are other things that are similar to that, that from time-to-time occur. So basically we defined it a little bit better and we indicated that if you are sent home for the convenience of the company and it could be an emergency, or any kind of emergency where we can't deal with the employee reporting to work because there is no place to work and during Hurricane Sandy we couldn't have everybody come over here, there would be too many of them, so we told certain groups to stay home. We further indicate that, and this may be a little bit touchy with the employees, but I want to indicate why we are doing it this way or I am suggesting we do it this way. We are basically saying in the manual that you work for a public utility and we have emergency responsibilities and those emergency responsibilities go throughout the company and you are obligated to get to work if it is possible to get to work. We have employees that live a considerable distance and during inclement weather are unwilling to drive to work and we are basically taking the position in the manual that if you do that, you have personal days, you are to use the personal days. Now, that is not to say that if the Governor closed the roadways in an emergency we wouldn't do something like the accommodation I am talking about in telling people not to report. But it also basically says that if you are told not to report and you have to come in because something occurs, you are on the

clock whether you are in your house or whether you come here. You don't get any extra time because we had employees claiming that after being told to stay home they had to come in for an emergency, there was something for them to do and they wanted to get paid emergency pay. So we had some really little funky things that have occurred and they have occurred off and on over the years so we tried to tighten that up so that wouldn't occur again. One issue, that is basically one issue related to the change. We did a little bit on technical training to tighten up what the relationship in technical training was and that certain types are voluntary and certain types are mandatory and how we deal with those situations. I don't think it changes the policy, I think it clarifies it."

Commissioner Ramirez: "Are you taking any questions?"

John Hiscock: "Sure."

Commissioner Ramirez: "Through the Chair. Are you asking for one single motion or two individual motions, a 2% increase and to change the employee Manual? How do you want to handle that?"

John Hiscock: "No I think the report is the report and I am going over what the report says. If the Commission wishes to parse out certain portions of it and approve certain portions or not approve certain portions or change. That is fine. This is the recommendation. I am not saying you have to deal with it in one motion, you have the ability to divide it up and pick and chose and talk about how you want to deal with it."

Commissioner Ramirez: "I, through the Chair, I do believe that what I have seen the employees doing inside as well as outside, I do believe that they do an excellent even sometimes way beyond the extra duties so a 2% or perhaps even more but I guess the economy is tight. I do believe that at any point in time these folks are willing to do even more so I put a motion that yes, a 2% increase is good, the Employee Manual... wait I would like to clarify something you are referring to. The emergency situation that transpired where you had to send for personnel. These employees; are they getting paid or are they not getting paid and you are telling them they cannot come into work?"

John Hiscock: "They are being paid. They are absolutely being paid."

Commissioner Ramirez: "Now, for those that live far away and I have failed to read the description where it might say or not say that only in an extreme emergency where the Governor will declare the roads and highways to be closed so there is no way, shape or form that the employees could come in, is that specified in the book itself or is it just...?"

John Hiscock: “No. It is something that I make the determination as to whether or not it is reasonable.”

Commissioner Ramirez: “Well, I highly respect you but that doesn’t mean that you are going to be here forever. Meaning, that the interpretation by the future manager perhaps could be comprehended differently therefore, I would like to see a little clause that specifies that when there is an extreme emergency that the Governor or a high commander in power declares that all road are closed, you can miss work, you are off the hook. Otherwise, if it is reasonable and safe you will make every effort to respond to your duties. I will, through the Chair and the rest of the Commissioners, I would like for a safety provision added so there is no negative results for our employees. They might not be here because you are reasonable enough and this is your comprehension but in the future somebody else could comprehend this differently. I would like that to be specified and be clear for the protection of our employees and everyone.”

John Hiscock: “I understand your intention but that is not something that without specifying by employee, by employee, by employee we can do”

Commissioner Ramirez: “I would say just in general, it is something we could do. It is just a general statement.”

John Hiscock: “When the Governor closes the roadways, our employees who are on emergency duty, are required to come to work. Whether the Governor has closed the roadways or not they are safety personnel and they come to work.”

Commissioner Ramirez: “Maybe I misunderstood something, I heard you say that there are certain individuals that perhaps maybe or might not be, are disputing or challenging to come to work because they cannot because they live too far away and they have no way to come in. It would be up to you then to say, you have to use your own personal day?”

John Hiscock: “Yes, if the Department does not declare that you shouldn’t come to work, then you use your own personal days. We have a significant number of employees who are very uncomfortable driving in the snow and they simply, when it is a snowy day, they just don’t come to work or they come to work very, very late. That is not what I am driving at. I am concerned that if you make the statement that if the Governor declares the roads closed, the employee does not have to come to work. That is unacceptable.”

Commissioner Mann: “Our business.”

John Hiscock: “Our business is public safety.”

Commissioner Borges-Lopez: “Especially in an emergency.”

Commissioner Mann: "Absolutely."

John Hiscock: "I could certainly come up with some language to go through that process and work through it but I can't leave a customer without service not matter what."

Commissioner Ramirez: "Well, absolutely not but what is your percentage of people living far out from the city itself?"

John Hiscock: "A phenomenal percentage of our employees are not local. A lot of our employees have been hired local and now don't because of family situations, they can't afford to live local the way they would prefer to live. We have, and here I am going to put it to you in a different way. We hire a lot of employees who are single or don't have children and live in apartments or live wherever they live. When they get into a situation where they need larger accommodations they often move out of Norwalk; very, very common. We have employees who live in Stratford, Trumbull, Bridgeport, Fairfield, Ansonia and Wallingford. We even have an employee who lives in Southbury. Our employees, some of them, have tremendous commutes. Some of our employees we have given work hour changes from 7:00 a.m. to 3:45 p.m. so they can come in early to avoid a two hour traffic ride. And the way we deal with this is, those that have on call duty or emergency duty in their job descriptions, those individuals are required to live no more than 30 minutes from here but it is defined as normal, non-rush hour."

Commissioner Ramirez: "So you don't have any mileage limit as to how far your employee has to live from the city. Say, you take the job you have to be no further than 30 miles?"

John Hiscock: "30 minutes."

Commissioner Ramirez: "I am talking about miles."

John Hiscock: "Ok. We define it in the Manual as 30 minutes of normal time."

Commissioner Ramirez: "Ok."

John Hiscock: "Not all of our employees have on-call and emergency. But to give you an example of who has on-call and emergency would be the water treatment plant operators, the forestry people for grounds clearing..."

Commissioner Ramirez: "The key people."

John Hiscock: “The construction guys, the line department guys, the meter department guys, those individuals are required. Some of them get pretty close to the edge, some live in Trumbull, some live in Stratford, we have employees that live in Stamford.”

Commissioner Ramirez: “Ok.”

Commissioner Mann: “Well I look at the situation from the case of Sandy in which we did an excellent job compared to all the other utilities. SNEW did an excellent job but all the highways and roads were declared closed by the Governor. But had our crews not come to work.”

Commissioner Ramirez: “I guess I misunderstood. I do believe that we are all capable and hardworking individuals and everyone is trying to make every effort as possible. I just want to be careful on how we make these folks report to work and make it safe and not be penalized in a manner that is unreasonable. I know you won’t but I am looking forward in the future. Future CO’s, Commissioners, I don’t know, I feel our employees should be protected so the language may be, you are the expert on the matter.”

John Hiscock: “I think there are a couple of issues here. One, the employees do have appeal rights to the Commission if they are aggrieved, but that is a difficult one. Most employees would not do that. I have only seen two employees ever appeal to the Commission.”

Commissioner Ramirez: “In reality I don’t think that is really going to happen.”

John Hiscock: “No it probably won’t. I know what your concern is and I don’t think it is a big issue currently.”

Commissioner Ramirez: “You know what I mean?”

John Hiscock: “Yes and I don’t think it is a big issue currently but I can’t predict the future. What I am saying right now I don’t think we will have anybody unhappy with the way things are handled.”

Commissioner Ramirez: “That is because you are reasonable and I believe you are a fair man but we all have to see the future. We have to attempt to visualize what would happen when we are dealing with a company that is going to stay here for centuries.”

Commissioner Burgess: “Anybody else have any questions?”

Commissioner Geake: "Through the Chair and this is just a technical thing. On page 5 of the second part where it starts out with 'part-time employees,' it is going to sound weird but somebody instead of using the half sign used one/two and yet they used half in other things. It just needs to be corrected. It is stupid but it is something that I caught."

John Hiscock: "The time and a half doesn't look good, yes. It needs a dash."

Commissioner Geake: "Yes that is the reason I brought it up."

John Hiscock: "It needs a dash."

Commissioner Geake: "Or actually the smaller half sign like it is up here."

John Hiscock: "Yes, we can do it that way."

Commissioner Mann: "I just have a question, just for clarification. On Page 3, in the first red-highlighted paragraph, it says 'employees who don't have sufficient benefit time available shall be considered absent without leave.' Does that mean they do not get paid?"

John Hiscock: "That is correct."

Commissioner Mann: "Ok, I just wanted to clarify that."

John Hiscock: "There is another section of the Employee Manual; by the way absent without leave is not a disciplinary issue generally because you are permitted during the year five days absent without leave. Now, it is generally with pre-approval and we added that years ago because of people who complained about two weeks' vacation not being a sufficient amount of vacation time so as a compromise we offered them the ability to take the week off without pay if they felt so inclined. So that was an accommodation but it generally requires pre-approval. But, yes you are right they would be able...I couldn't envision a situation where this would happen five times in a year and you end up with a disciplinary situation. And again, disciplinary goes through this very specific process so if a supervisor attempted to sanction somebody it comes through me first and eventually goes to the Commission. So, I don't see that as a real problem."

Commissioner Ramirez: "Through the Chair. Same page, number 3; simple question just to clarify my mind. The management level. Once you reach the management level, are you salary and get overtime when you have to respond to an emergency? The company deals with different levels of management so management as a group, high management usually doesn't get more than salary."

John Hiscock: "Let me get to the right spot so I can show you. Page 2, you see the red highlight, it used to say 1 to 12, it now says 1 to 13. That was a typo we didn't catch. We didn't have a job description in grade 13 at one point in time so it was 1 through 12. When we added and re-arranged some things we never caught this error. So its grades 1 through 13 are hourly and get overtime and all of those things; 14 and 15 are salary exempted and do not get overtime."

Commissioner Ramirez: "So that would specifically be management or it doesn't matter. Once you pass 14 are you considered management?"

John Hiscock: "Yes, let me quickly show you the job descriptions. 14 Financial Analyst, Manager of Collections and Customer Relations, Administrative Manager, Manager of Technical Services and then Director of Technical Services, Director of Administration & Customer Service and Director of Operations. The seven individuals who manage are truly management type individuals."

Commissioner Ramirez: "Hold on guys. You say 18, because my pages..."

John Hiscock: "No Exhibit C."

Commissioner Ramirez: "Because my pages jump from page 10 to 16 unless it is on something else."

John Hiscock: "No, there are no changes on those pages. We only put in the page changes. Take the two right hand columns, if you look at the job description in the upper right-hand corner, those are the individuals who are salaried and don't get overtime and their job description does require them to come to work when we have a problem."

Commissioner Harris: "Those are not the people who are complaining that they have to come to work and not being compensated while others are sent home. Is that part of that group or are they in 1 through 13 group?"

John Hiscock: "I can see at least one or two who might be a problem."

Commissioner Harris: "Ok."

John Hiscock: "And I don't mean that negatively, I am not trying to stereotype people but based on looking at that group, there are two individuals that, one lives local and one does not live local. So they might be in that category but they would be in the same position, they would get paid today if we told them not to come in."

Commissioner Ramirez: “When you are making that type of money...”

John Hiscock: “Yes, you are not going to...when you look at that you are not going to get people who are...”

Commissioner Ramirez: “You have to respect what you have and be responsible for the position you have.”

John Hiscock: “Yes and you will find that those people in those positions will come to work the night of the storm. Three of them slept in here and one slept over there and a couple slept over there. It sort of goes with the turf and we have not had a problem with that. But on the same hand, hourly employees are hourly employees and they need to be compensated hourly and that is appropriate and fair.”

Commissioner Ramirez: “Absolutely.”

John Hiscock: “The only individuals that are on salary are on the upper end, the higher upper end of the base scale.”

Commissioner Ramirez: “I happen to agree with you 100%.”

John Hiscock: “There was one other change, we added to it. Its generally isn’t a problem but it has cropped up with one or two employees basically if you’ve got emergency responsibility and on-call duty and you are assigned a cell phone or mobile phone, we changed the word cell phone to mobile phone because there are various types, you are required to carry the phone with you off duty and you are required to have it on. Because if you are at that level and we need you, we need you.”

Commissioner Ramirez: “Sounds like a Trooper.”

John Hiscock: “That’s the way it is. We are a small company. You know if we were a huge company that has large workforces, it is not a big to do. You have two people that have their cell phone off on Sunday and we have a water main break, we have a problem.”

Commissioner Ramirez: “Suppose this person is out of state?”

John Hiscock: “There is a provision that we put in for that.”

Commissioner Ramirez: “It could happen.”

John Hiscock: “Oh no, it is in there. If you look on page, if I could find it...”

Commissioner Ramirez: “Because I have a cell phone, that doesn’t mean it is only going to be on in the State of Connecticut, you know what I mean?”

John Hiscock: “It is here.”

Commissioner Ramirez: “I just simply wanted to know, that is all.”

John Hiscock: “Here it is. Emergency Work On-Call and Overtime. We added language that says...”

Commissioner Harris: “John, what page?”

Commissioner Burgess: “What page John.”

John Hiscock: “Bottom of 55, we talk about an ‘Emergency Work Requirement is included in job descriptions for SNEW employees who perform tasks vital to the repair, service deliver and maintenance of SNEW electrical and water systems. During non-business hours, employees who perform emergency work are required to report to work when notified unless they are unavailable due to location, injury, illness or unusual (and infrequent) family responsibilities’. Examples, sometimes you are at home and you have a little child and your spouse is away, you obviously can’t come to work. We understand that. This was put in there because we have had situations where employees have conveniently not answered the phone. We all have caller id today and we know where the phone call is coming from. We’ve had employees who have done things like that. So, there is another clause in here that says if you are repeatedly unavailable for work, you are not meeting your job description. So in other words, if we call you ten times and you don’t show up in seven, you don’t meet your job description. If we call you ten times and you miss two or three because you can come in and say, I couldn’t come in for the following reason, I was sick, I was this, I was that, that is ok. And that was the last substantive change, let me just make sure before I say to you, it is. On page 58, there are changes to Technical Training, they really just simply for clarification. So that is the Employee Manual changes. And we have Job Description changes behind that.”

Commissioner Ramirez: “Everybody gets a copy of this right?”

John Hiscock: “Yes, absolutely, everybody gets a copy. We actually post these on our intranet, our internal, it is not on the external internet, but it is on the intranet. Every employee signs a statement that they got the book and they can electronically find it whenever they want. The Job Descriptions are just Emergency Work and On-Call Requirements that we made consistent throughout the entire manual. I think I have sort of highlighted the changes that are recommended. I think I went over everyone of them but I apologize if I missed one.”

Commissioner Burgess: “Anymore comments or questions from Commissioners... Maria?”

Commissioner Borges-Lopez: “I would like to make a motion to increase 2% for pay grade 1 through 15 effective December 1, 2012 and also to accept the revised Employee Manual and Job Descriptions.”

Commissioner Ramirez: “I believe the motion was placed before so you are probably saying you are seconding it?”

Commissioner Borges-Lopez: “It was placed before?”

Commissioner Ramirez: “Yes, that is what I said before. I made a motion to increase.”

Commissioner Borges-Lopez: “Ok, I guess I will second it. I didn’t hear that part.”

[Laughter]

Commissioner Ramirez: “Just to clarify...”

Commissioner Borges-Lopez: “Were there discussions after that motion? Maybe that was why I missed it?”

Commissioner Burgess: “Any more questions? All in favor?”

Commissioners Unanimously: “Aye.”

Commissioner Burgess: “Opposed?”

[None Opposed]

Commissioner Burgess: “Abstentions?”

[No Abstentions]

Commissioner Burgess: “Ok, one more. Item 8.”

John Hiscock: “Employee Health Plan Premium. As you are aware in December we spent a considerable amount of time discussing this issue, discussing the increase and potential ways to mitigate the cost to the Department. There were only four Commissioners present, I believe, at that meeting and it is not my intention to speak for those four individuals, there seem to be a

least, in my opinion, there was a desire to wait until there was a full Commission seated to deal with that issue. And, if I am incorrect I apologize for presuming you were in that group but one of the things that did occur was that the current Oxford HSA plan from the insurance perspective was approved because we had to give the insurance company a yes, we are in or we are out. So that happened. As part of that discussion then I told the Commission I would come back with some ways to mitigate the increase, which was around I think \$35,000 or \$40,000. There have been comments by the Commission and I guess rightfully so over time that our employees do not contribute to their health coverage at all. It is 100% paid and that is quite unusual. It didn't used to be unusual but it is unusual currently as health care has gotten very, very expensive. We have done a lot of things over the years to try and mitigate that, we went from a standard old point of service plan (80/20) minimums, co-pays and all of that into the HSA high-deductible and then we funded the high-deductible. That did a good job for us for the first year or two that we did it. We really dropped in costs and that was great. Now the insurance companies are essentially raising the HSAs to a point where there is, from a premium perspective, not a huge difference between HSAs and point in service plans. There is still a differential but not a huge differential. I mentioned previously there were a lot of things that we could do. First, two things we can't do. We can't change the insurance plan, the high-deductible and we can't take back the HSA money we have given because it funds January 1st and the employees, even if they resign the next day, it is theirs by law. We have no control over that. A couple of things we could do is cost sharing by the employees, look at other benefits and maybe change something along that line, fully well knowing that this requires a least a sixty-day notification to the employees that we are changing the plan. The plan is overall a comprehensive plan document that includes medical, dental, vision, life insurance, all of those things that are considered benefits. So we have an opportunity to change. First go round I asked our Benefit Planning, the company that we use to advise us, to sort of come back with a few ideas and if you look at the third page after tab 8, you will see that we ended up just quickly doing some calculations and if you left the HSA funding, which we are required to do because we already shifted it out, in fact I already got my statement from the HSA bank a few days ago so it has been done, we could go with a 3% contribution by the employees and that would save \$24,000. It would not completely mitigate the \$40,000 increase. We could go to a 5% employee contribution and that would cover \$40,000; almost identical. Some companies do it across the board regardless of whether it is an employee, an employee plus one or family, same percentage. Now, understanding the premiums are higher so if you do a straight across the board percentage those who have employee plus one or employee family would pay more. That is what the table is meant to show at the bottom of the page. Another way to do it some companies will do employees are completely covered and then any dependants, there is a percentage contribution. That's how it is done sometimes. Doing a little bit of additional research just to give you a feel and I think you got this emailed to you yesterday sometime. I went through all of the City of Norwalk and I am not trying to say that we should mimic, copy or anyway do what the City does just because it is the City. That is not my point here. My point is to show you what other public employees end up contributing and what is becoming what I

would call the norm or a direction towards the norm. We all know in the private sector they contribute significantly more. So, on the top of the page I have the bargaining unit of the City and there are seven different units from the grant employees, the assistants and supervisors, the fire unions, the municipal employees, police union, public health and teachers. It appears to me, based on reading all of the benefits sections of all of their contracts, that the City has settled on a 2012/2013, and it varies because these contracts become due at different times, about 11% contribution. That is a big number but it didn't happen all at once. It was staged in and if you look at an example, the AFSCME at the top, July 1, 2007, it is an old contract. It probably hasn't even been redone yet and that was at 8%. If you go back and look at that contract it was 5% or 6% in 2004. So they have been slowly, just about each year, one more percent every year and that seems to be how they are doing it. I don't think anybody here is in this, other than the Police Union."

Commissioner Ramirez: "I am. We are at 11%."

John Hiscock: "And I believe you are at 11% right now."

Commissioner Ramirez: "Yes."

John Hiscock: "Your contract was hard to read and the fire contract was even harder to read because of emergency duty and all of that. So that is the City norm. Then I checked with the Taxing Districts and I checked First District and asked them what they were doing and they told me 11% and I had this conversation with them and they basically said, now remember they don't have an electric utility they are water only, they basically said that we follow the City because we really raised the rates so high and we didn't want to take a hit and we didn't want to be criticized so we figured there was safety in doing what the City did. I think a lot of that might have to do with their chairman of their board who is an ex-mayor and sort of a City guy. In fact, you might have heard me say to you previously that when they needed to borrow money and bond. They didn't go out and get their own bond rating and issue bonds they piggy-backed on an agreement with the City, which I think in the long run is a very serious mistake but that is their business, not ours. And then Third Taxing District is 3%. The First District employees are not unionized, the Third Taxing District are unionized. So that was a negotiation. And as you all know, all of the City employees are unionized. So that was a negotiation process. And you can see my little disclaimer on the bottom, 'this is for information purposes only to give you a general idea as to what the City of Norwalk and the other Taxing District offer. These percentages should not be judged as appropriate numbers as the underlying plans vary.' Ok, that is just my little disclaimer. There are a whole host of ways to do this. It comes down to how much money, what you want to do, how you want to do it and if you want to do it. I could

probably list 15 different things because money is money and wherever it comes from it comes from. So I think I have sort of completed my task in what I said I would do at the last meeting and give you the information. Now it is really a Commission policy decision and I can answer any questions and go from there.”

Commissioner Mann: “Well, for me I think I am one of the ones that raised the issue, we had an increase of \$40,000 in which the District would have to pay in regards to our insurance for this year. I am feeling very strongly that I think that employees should contribute something towards it. That is just my personal opinion. We are raising costs to our District as far as utilities and with the salary structure and scale that we pay our employees, I feel as though they should contribute something towards their health insurance. From looking at one of the quotes that had been submitted in our packet, I personally would not have a problem at all with the 3%, which requires a single employee to pay \$17.00 a month, employee and spouse \$38.00 and employee and child \$36.00 or a whole family \$50.00. That is just my position.”

Commissioner Ramirez: “With all due respect I have to leave.”

Commissioner Harris: “Are you ok? What is wrong?”

Commissioner Ramirez: “I have to leave.”

[Commissioner Ramirez excused himself from the meeting at 8:00 p.m.]

Commissioner Geake: “Through the Chair.”

Commissioner Mann: “She is not here.”

Commissioner Geake: “I know you are the assistant Chair right now. I hate to say it and I agree with you a 100% but I think it should be 5% and I am almost to a point where I think eventually it should be 10% of their contribution. I know it is a lot but when considering what they have to pay and what they are being paid, 5% would make up the \$40,000. So we wouldn't have to be raising anybody's rates or anything. So that is my thought.”

Commissioner Harris: “Through the Chair. If we do the 5% than we might as well go to the zero and then the ten because at least if there is an employee, there is 0% for them, just for the employee but either way they are going to pay the 10% anyway, so I would just do a 5% employee contribution and then the dependent is going to turn out to be 10% anyway. That is just an option. It would just be nice because then if the employee doesn't have dependents than there is still sort of...”

Commissioner Mann: “So what you are saying, I am sorry, I am just asking questions for clarification. If we raise it up to 10% that a single employee pays nothing? Is that what it is saying right here?”

John Hiscock: “The right-most column says that a single employee would pay nothing and then the...”

Commissioner Harris: “But if they have additional dependents... right?”

John Hiscock: “Yes then they would pay the dollar amounts that you see. Employee plus spouse would be \$67.00, employee with a child is \$63.00 and a family is \$109.00. The only other comment, by the way, and we will need to deal with this, and I don’t mean to stop this discussion, but we simply need to, if we do this, pass a Resolution so this could be done pre-tax.”

Commissioner Borges-Lopez: “Could be done what?”

John Hiscock: “Pre-tax. We have to pass a Resolution. I think it is a 105 Resolution saying that this contribution is pre-tax. The same as a...”

Commissioner Borges-Lopez: “Section 125, Cafeteria Plan.”

John Hiscock: “Yes, 125, ok. Not 105, 125, thank you.”

Commissioner Borges-Lopez: “Through the Chair. I guess I am the only person here who feels very strongly about not increasing the employees’ contribution at all. I brought up a point last time and I am going to bring it up today as well to the table. The reason I felt very strongly that we should not increase the employee contribution is because I feel that the monies we are spending out there, especially on contributions through our different not for profit organizations in town is a lot higher than the \$40,000. So I felt that for the employees at this time we should not increase any contribution and I think that the HSA, I believe the first year there was a saving of approximately \$86,000 and there were great savings in the following years as well though not as much. But we only had an increase of 4.5%, which is a reasonable increase. I would entertain this if we had an increase like most private sectors. They have had increases of up to 8% to 17%, than in that scenario I would say yes we need to entertain this, but at this point at only 4.5% is reasonable and I do believe that SNEW should absorb the cost.”

Commissioner Burgess: “So you are suggesting no employee contribution?”

Commissioner Borges-Lopez: “Yes, that is my feeling.”

Commissioner Burgess: “Well, that is my feeling too.”

Commissioner Mann: “I put a motion on the table for a 3% increase of employee contributions.”

Commissioner Borges-Lopez: “Is that across the board? I think it needs to be specified because it could be across the board or for employee only. Am I correct?”

Commissioner Mann: “Mine would be using the chart, the illustrated chart that is located in our book for the 3% for all employees. That is my motion that I am putting forth.”

Commissioner Geake: “Can I ask a question through the Chair of John? If we were to decide on that since it is costing us \$40,000 more than it would still cost us \$16,000 more. Are we going to have to go to the Electors and ask for the money?”

John Hiscock: “No, as I indicated to you in the last meeting in December that when we do our budgets we plan on changes that we can reasonably predict and I indicated to you that this increase was actually less than what we had put into the budget for the increase so that from January through the end of June we were covered. Now, we are in the process and we are going to talk in a minute about the new budget section, so from July 1 forward it is whatever the Commission and the Electors approve. But this is consistent with at least what we had predicted. It is actually a little bit less than what we had predicted as an increase. So, we would not have to go for a budget adjustment. The other thing I want to explain to all of you and I think you know it but our OM&A Budget is a single test, pass or fail and is not a line item budget. We have huge difficulty in our business doing a line item budget because we use so much internal labor for capital projects versus maintenance projects, that simply assigning the same employee at the same pay rate to do a different job, it drives your budget crazy because we budget in such detail. So we have measured and this has been the consistent position of the Commission as far back as I recall, that plain and simple, if we say we are going to spend \$5 million, its \$5 million however we spend it. So that this small amount of money, and don't take this as a sarcastic comment, it is not, it is not meant to be but \$16,000 in our budget you can't even see. It is just an extraordinarily small amount of money. So it really affects the budget, it affects the amount we pay, but it would never cause us to go above or below the budget. That was a long answer to your question but I think it portrays what it is.”

Commissioner Burgess: “Ok, can we have a motion to second it? Is there a motion... Mary?”

Commissioner Mann: “I am not sure if it was or not.”

Commissioner Geake: “No, we never got to that point.”

Commissioner Harris: “I don't think it has.”

Commissioner Mann: “We were having a discussion.”

John Hiscock: “Before we had a second.”

[Laughter]

Commissioner Mann: “Yes. So what do we do now?”

Commissioner Harris: “We have three different trains of thought. We have one where we want 5%, then 0% and...”

Commissioner Borges-Lopez: “No, you have a motion for 3%. Was there a second?”

Commissioner Geake: “No, it never got to that point.”

Commissioner Borges-Lopez: “There was no second. Ok, so there is a need for another motion then.”

Commissioner Burgess: “Yes.”

Commissioner Geake: “I will make a motion for 3%.”

Commissioner Mann: “You need to second the motion.”

Commissioner Harris: “Well then why didn’t you just second it?”

Commissioner Geake: “Well I will because she needs a motion so...”

Commissioner Harris: “Well there was a motion, she made the motion.”

Commissioner Geake: “She made the first and so I am making the second so we can vote and then if we need to go to the next person...”

Commissioner Mann: “No, I think if a motion is on the table and that motion is not seconded then that motion fails.”

Commissioner Burgess: “Right.”

Commissioner Geake: “It fails...oh ok I would like to rescind...”

Commissioner Mann: “Then somebody has to put another motion, if it is different on the table, am I correct?”

Commissioner Borges-Lopez: “That is correct.”

Commissioner Harris: “So you want to second her motion?”

Commissioner Geake: “No.”

John Hiscock: “I just want to explain one thing to you so and this is a technicality. This is not to drive this in any direction. No motion is status quo; remember it is an approved plan. So the only motion is necessary is if you make a change to it. Again, I am not trying to drive this discussion in any way, shape or form. I am saying if you are happy with the status quo than you don’t need a motion. Because the status quo is the status quo, it is an approved plan and it is a plan until you change it.”

Commissioner Mann: “And the approved plan states that our employees currently do not have to contribute to their health insurance.”

John Hiscock: “Correct.”

Commissioner Mann: “So I am not comfortable with that.”

John Hiscock: “I know that.”

Commissioner Mann: “Ok.”

John Hiscock: “That is the message you are portraying, believe me. It was not for me to drive this discussion in that direction. I just wanted to clarify the motion issue that what is before you is a change to the plan and these are the ways to change the plan.”

Commissioner Burgess: “There could also be a motion to leave the plan alone.”

John Hiscock: “Yes you could. I am just saying what is necessary and not technically, that is all I am saying.”

Commissioner Borges-Lopez: “Will this motion change the plan design with the carrier?”

John Hiscock: “No. It will not change the plan design.”

Commissioner Borges-Lopez: "You will not have to report to the carrier that now it is a contributory plan?"

John Hiscock: "The agent claims that we do not. I don't negotiate directly with the insurance company because we have an agent who does that for us and when we talked about it, and we can't do it this year because of the timing, but when we talked about the HSA versus the HRA the agent basically said that the insurance company is ambivalent. That is not what the industry says but Oxford appears to be ambivalent with respect to that issue. I don't know where to go with that but the agent tells me it is not required. I guess I have to believe him. I am not going to argue with the agent."

Commissioner Burgess: "Is anyone prepared to make a motion at this point?"

Commissioner Harris: "Could we possibly just suggest a change or may I ask a question?"

Commissioner Burgess: "Yes."

Commissioner Harris: "There was a motion for the 3% and then there was another, I am not sure if you made a motion or a suggestion, for 5%, when I am looking at the 5% and then the second one where the employee pays zero and then their dependents pay 10%. They are basically going to pay 10% either way but at least in the second scenario there is a possibility that if the employee doesn't have any benefits the employee still get away with not paying anything, is that correct?"

John Hiscock: "That is correct."

Commissioner Harris: "So my question then is, as a happy medium, would there be a possibility of, and I don't know what the numbers would add up to, if we had the 0% for the employee contribution and then the 5% for the dependents contribution. Would that be enough of a savings or not?"

John Hiscock: "Let me see. Going to do the math here. That would be about \$35,000 I believe, if I did my math fast and quick enough. You take the \$30.00 for the single employee and remove it and times the 15 employees, that is \$450.00 a month times twelve months so that is \$40,000 minus \$5,000 so that makes it around \$35,000 of the \$40,000 increase would be covered by that methodology, if that was what you were asking."

Commissioner Harris: "I was, thank you."

Commissioner Borges-Lopez: "So I will make a motion that we leave the plan as is, no change."

Commissioner Burgess: "You are what?"

Commissioner Borges-Lopez: "I make a motion that we leave the plan as is, no change."

Commissioner Burgess: "I will second that motion. Any discussion on that motion?"

Commissioner Harris: "If we leave it as is, John, and I am sure you mentioned this already, then where is the money coming from?"

Commissioner Mann: "We pay."

Commissioner Harris: "Ok then we do."

John Hiscock: "SNEW would pay, it would come out of the regular budget payment and it amounts to about \$40,000 give or take a little bit. Now, oh I am extraordinarily sorry that I didn't point something out to you and I should have, this should have no affect on any of your decisions, however this also applies to retirees. Whatever you do has to apply to retirees for two reasons. One, the Employee Manual very specifically says that the retirees who are entitled to continuation of benefits upon normal voluntary retirement have a plan as close as practical. I am adding those words, but that is basically what it means, to what the employees get but in no case shall the retirees have a plan better than the employees. And I apologize for not saying this to you before because part of this calculation here includes those individuals."

Commissioner Mann: "Yes, so if we go with what Sherelle suggested our retirees will not be charged because it is a zero?"

Commissioner Borges-Lopez: "No, they will be affected."

Commissioner Harris: "No, what we are saying is that if it is a zero because the retirement is just for them and not for their dependents."

Commissioner Mann: "Absolutely, if they chose to have dependents, then dependents pay."

John Hiscock: "Ok, I know this is going to make things more interesting. For those employees under 65 who are retired, Oxford is their plan and they are in the HSA. For employees over 65 they are in an Anthem/Blue Cross plan and they are in a Medicare Supplement F with a prescription rider. So we would do the same thing. If you adopt a percentage whatever percentage and how you parse it, we will apply the same thing to the retirees. So, if it is across the board it is easy. The real problem crops up because the med/supp with the prescription rider by the insurance company is dealt with as individuals. So, if you are a employee and spouse each one of them is individually listed on our plan. So we would then go back through

and if the employee was exempt we wouldn't charge the employee, but the employee's spouse would get charged. So we would work it out so it was identical. And I again apologize for not bringing this issue up as it is important that you understand that the Manual very specifically says the retirees do not get a better benefit than the employees. I don't think I even mentioned it last month unfortunately."

Commissioner Burgess: "Well, are you ready to vote on the motion?"

Commissioner Mann: "We need to vote on the current motion that is on the floor."

Commissioner Borges-Lopez: "Which one is that?"

Commissioner Mann: "The one you stated. Mine lost because I didn't get a second. So you stated you want to leave the plan as it is. Mimi seconded it. We need to vote on that motion."

Commissioner Burgess: "All in favor?"

Commissioner Borges-Lopez and Commissioner Burgess: "Aye"

Commissioner Burgess: "Opposed?"

Commissioner Mann, Harris and Geake: [Opposed and motion failed]

Commissioner Burgess: "Now we need another motion."

Commissioner Harris: "I am sorry I have another question. Ok, so with the 3% we are still going to pay anyway, correct? We would just sort of be splitting it."

John Hiscock: "Yes, we would be minimizing the damage so to speak."

Commissioner Harris: "And the other scenario that I proposed where the single employees pay zero and their dependent paying 5%. If it comes out to \$35,000 we are still going to pay?"

Commissioner Mann: "A very small amount."

Commissioner Harris: "But a very small amount."

John Hiscock: "Yes, it would end up creating more than the 3% across the board. So in other words, it would be closer to the increase, if that is what you are asking, yes."

Commissioner Harris: "Ok, I get it. I am assuming most of our retirees, I have the City mentality

I guess, if we adopt this it is across the board and people aren't sort of grandfathered in to what they had?"

John Hiscock: "No."

Commissioner Harris: "I know, I just feel bad because of the elderly. They are on fixed income."

Commissioner Borges-Lopez: "I honestly believe that the \$40,000 is not going to make or break the agency. I mean, we went through the donations and that is how everybody felt at that time that those donations were not going to break or make the agency and it was very little, you couldn't even see it in the budget and I don't feel that the employees should be affected at this time."

Commissioner Harris: "I know that John..."

Commissioner Borges-Lopez: "It is \$17.00 a month for an employee, you just said it, and I don't think it's going to mean anything for SNEW right now."

Commissioner Harris: "John you did say that we could barely see the \$16,000. When you were talking about as far as the budget regarding the \$16,000 you barely see it, so what about the \$40,000? Is that a little more..."

John Hiscock: "Our budget is like \$22 million."

Commissioner Harris: "I know but I am just thinking because you put this together and obviously you must have put it together for a reason."

John Hiscock: "I am going to tell you flat out that I put it together this way and I brought this issue back to the Commission because at Commission meetings over the last year or so I have had comments from Commissioners who believe that the health insurance is getting expensive and the employees should contribute."

Commissioner Mann: "Yes it is."

John Hiscock: "So, I was reacting to the Commission's inquiry. It was not a directive but it was a very specific inquiry and I reacted to that. And I think that is appropriate. If a Commissioner brings up an issue I should at least, not ignore it."

Commissioner Harris: "Here is another issue; it is nice because most people are having to pay for insurance so it is nice to be sort of alone organization where people don't have to pay and it would make people want to work for us."

Commissioner Borges-Lopez: “But there a lot of other perks in the other companies as well. And unless you globally look at the entire benefit package from the City of Norwalk, the Third Taxing or First Taxing District to see what other perks they may be getting as well. So it just so happens that South Norwalk Electric and Water pays 100% for the benefits but that doesn’t mean that we are doing less than other companies.”

Commissioner Harris: “Maria, I am agreeing with you. What I am saying it might be nice, I am not saying we should, but it would be nice to be a company where you know, oh they don’t have to pay into their benefits. It might be nice for them in the long run are we going to be able to get away with that next year...”

Commissioner Borges-Lopez: “No, that is what I am saying. I can see if the increase is like other increases I have seen up to even 32% to 33%, so I can see if the increase is anywhere from 8% to 17%. Of course we would have to address it because than we are not talking about \$40,000 we may be talking about \$100,000. But the increase was 4.5% so I didn’t think that was a detrimental increase to South Norwalk Electric and Water. That was why I feel the employees should not be affected at this time.”

Commissioner Harris: “One more thing, how would people feel if we, we can always revisit this next year, correct John?”

John Hiscock: “We can revisit this at any point in time that the Commission desires.”

Commissioner Harris: “If we left it the same for this year and then maybe propose a change for next year, I am just asking...”

Commissioner Mann: “Than you need to put that motion on the table because it is already there.”

Commissioner Borges-Lopez: “Also, this cannot take an effect until April 1st, right?”

John Hiscock: “April 1st from a practical perspective, yes.”

Commissioner Borges-Lopez: “So it will not take effect until April 1st so you are looking at eight months of this increase.”

Commissioner Harris: “Well, my motion would be that we leave it as is for this year. Have John do the calculations for next year if there is an increase in medical costs. You don’t have to agree with me. But, that would be my motion that we revisit it next year.”

Commissioner Borges-Lopez: "I second that."

Commissioner Burgess: "You seconded it?"

Commissioner Borges-Lopez: "Yes."

Commissioner Burgess: "Any discussion on that motion? All in favor?"

Commissioner Borges-Lopez: "For no increase, as is, that is the motion."

Commissioner Harris: "Revisiting it next year."

Commissioner Borges-Lopez: "To revisit it next year, that was the motion."

Commissioners Burgess, Borges-Lopez and Harris: Voted in favor of the motion.

Commissioner Burgess: "Opposed?"

Commissioners Mann and Geake: Opposed the motion.

Commissioner Mann: "The motion carried; item number. Let's move it on?"

John Hiscock: "Number nine."

Commissioner Burgess: "Annual Budget Schedule."

John Hiscock: "This is the standard Annual Budget Schedule, no action is required but I just wanted to mention to you that we are getting into budget season. We changed just very slightly. Usually there was only one week between adoption by the District Commissioners and the Electors meeting. We re-arranged it with respect to our meeting schedule this year so the Commission will need to take action by March 5th and the Electors Meeting is on March 19th. That gives us a little bit of extra time if there is difficulty with the budget. From a practical perspective there is nothing in the Charter that requires the Commission to adopt this budget at any point in time other than prior to the Elector's meeting and occasionally in the past we have discussed and went back and forth and waited until the night of the Electors' meeting and had a 7:00 p.m. Commission Meeting to finally adopt the budget and recommend it. We have done this to make it easier for all of us internally because the Commission asks additional questions and changes. It takes a while to do them and do them accurately. It shouldn't matter to the Commission. It just means that instead of the meeting on the 12th, you are going to meet on the 5th; that is all. And other than that, this is how the schedule works out. We are going to transmit a budget to you so that you can go through the process. You will have it in February.

You will review the draft at the February 19th Commission Meeting. You will discuss that with us and then we will come back on March 5th based on your discussion of the February 19th and presumably at that point you will either adopt it or recommend further changes and then it goes to the Electors on March 19th.”

Commissioner Geake: “Through the Chair. I like this and I agree with this completely. However, there is one item that we were going to discuss at the preparation for the Electors meeting and that was the Ethic Committee that we couldn’t get in, or is that something we discuss after this?”

John Hiscock: “I had informally discussed with the Chair that since we have been having trouble getting quorums the most logical thing to do at this point, based on the amount of money we have been spending for notices and staff and everything else, is to simply add it to the March 19th budget meeting as an item. So that we will attempt to elect an ethics group at that point and at some point it is clear that we have to have a budget. So even if we don’t get a quorum on the 19th we are going to have no choice other than to continue schedule meetings until we get a quorum. I mean I have a sadistic attitude as to how to get a quorum. Simply just suggest something that is draconian from the viewpoint of the Electors and they will all be here. And then at the last minute go April fools. Well that is not nice and...”

Commissioner Geake: “Well you can always say that we decided not to do it but since you are all here, let’s do it and we are putting it on the record.”

Commissioner Borges-Lopez: “Do you have candidates from both parties that want to? I have someone who is interested.”

John Hiscock: “Just please get the letters in. We are not putting timeframes on the letters or sunsets once you get it in for this year’s Ethics Commission and whenever we have an actual quorum, it would be a real good idea to make sure we have at least the diversity required based on the Charter.”

Commissioner Borges-Lopez: “And that would be on March 19th.”

John Hiscock: “And that would be on March 19th. While the Chair hasn’t announced it, we have certainly discussed it.”

Commissioner Burgess: “Yes.”

John Hiscock: “I think there is an agreement on our part that makes sense.”

Commissioner Burgess: “Well I think we are more apt to have a quorum.”

John Hiscock: "Yes."

Commissioner Borges-Lopez: "So, I motion to adjourn."

Commissioner Geake: "Second?"

Commissioner Burgess: "All in favor?"

Commissioners Unanimously: "Aye?"

Adjournment:

The meeting adjourned at 8:30 p.m.

Attest:

Lisa Roland
District Clerk