

SECOND TAXING DISTRICT COMMISSIONERS
Regular Meeting
December 20, 2011

Present: Mary E. Burgess Chairperson
Al Ayme Vice Chairperson
Maria Borges-Lopez
Mary Geake
Sherelle Harris
Mary Mann
Cesar Ramirez

Also Present: John M. Hiscock General Manager
Gwendolyn Gonzalez Asst. District Clerk

Public Present: Michael Geake

Call to Order

Chairperson Mary E. Burgess called the Regular Meeting of the Second Taxing District Commissioners to order at 7:00 p.m. on Tuesday December 20, 2011. The meeting was held at South Norwalk Electric and Water, One State Street, South Norwalk Connecticut.

Acceptance of the Minutes

Commissioner Burgess: "I will call this regular meeting of the Second Taxing District Commissioners for the City of Norwalk to order, Tuesday December 20, 2011 at 7:00 p.m. I need a motion for acceptance of the minutes of November 10, 2011."

Commissioner Ayme: "So moved."

Commissioner Geake: "I would like to make a correction, on the minutes, we didn't have included that Cesar was absent on this and it was not included in the minutes."

Commissioner Ayme: "Did we get a second? Did we get a second for the minutes?"

Commissioner Borges- Lopez: "So moved."

Commissioner Ayme: "Ok, I'm sorry."

Commissioner Geake: "That's ok, I didn't realize it, that my only thing about the minutes."

Commissioner Burgess: "Any other corrections? All in favor?"

Commissioners simultaneous: "Aye."

Commissioner Burgess: "Opposed?"

[No opposed]

Commissioner Burgess: "Abstentions?"

[No abstentions]

CONSENT AGENDA

2012 DC Monthly Meeting Schedule 2012 SNEW Holiday Schedule

Commissioner Burgess: "Now, I need a motion to accept the consent agenda, the monthly meeting schedule and the holiday schedule."

Commissioner Mann: "I make a motion that we approve the consent agenda."

Commissioner Ayme: "Second."

Commissioner Geake: "I have corrections again, sorry about that, on the first page that we put in under the monthly meeting schedule dates time and place I don't mean to be rude but we've using Candace Pamp, Candace as district clerk for a long period of time and I don't think her name should be on this any longer, it should be, see what I'm saying, it's not right. And at the same time because we don't do it when we have the minutes and holiday schedule it's not on there so I'm thinking we need to, I mean at first it was alright but she's been gone a long time now, ok. Don't mean to be rude, but other than that."

Mr. Hiscock: "Yes, it's the old letterhead, so we can put the (inaudible) on the new letterhead."

Commissioner Burgess: "Ok, ready to vote?"

[No remarks]

Commissioner Burgess: "All in favor."

Commissioners simultaneous: "Aye."

Commissioner Burgess: "Opposed?"

[No Oppose]

Commissioner Burgess: "Abstentions?"

[No abstentions]

REGULAR AGENDA

Election of Chairman and Vice Chairman-Charter-178 (h) (2)

Commissioner Burgess: "Now we are into the Regular Agenda. Election of Chairman and Vice Chairman."

Commissioner Ayme: "If I may with the approval of the Chair."

Commissioner Burgess: "Yes."

Commissioner Ayme: "I'm honored to nominate Commissioner Mary Burgess for Chairperson of the Second Taxing District Commission."

Commissioner Geake: "I would like to second it."

Commissioner Burgess: "Ok, I will turn it over to the Vice Chair now for any other nominations and the vote. "

Commissioner Ayme: "Any other nominations? Any other nominations? Any other nominations? Alright, we will take a vote. All those in favor."

Commissioners simultaneous: "Aye."

Commissioner Ayme: "Opposed?"

[No Oppose]

Commissioner Ayme: "Unanimous."

Commissioner Burgess: "Thank you very much, now I'd like to nominate the Vice Chairman and I'd like to nominate Al Ayme, he knows when I can't make a meeting and its easy for me to work with him so I'm proud to nominate Al Ayme."

[Commissioner Ramirez enters the meeting]

Commissioner Burgess: "Is there a second?"

Commissioner Geake: "I second it"

Commissioner Burgess: "Is there any other nominations? Any other nominations?"

Commissioner Ramirez: "I came in a few minutes late, who are we voting for?"

Commissioner Burgess: "We are voting on the Vice Chairman."

Commissioner Ramirez: "We already voted on the Chair?"

Commissioner's Burgess and Mann: "Yes."

Commissioner Ramirez: "Who's the Chair?"

Commissioner Burgess: "I am."

Commissioner Ramirez: "And the Vice Chair?"

Commissioner Ayme: "Nominations are on the floor."

Commissioner Burgess: "Nominations are on the floor now for Vice Chair."

Commissioner Ramirez: "Just (inaudible) for the record."

Commissioner Burgess: "All in favor of Al Ayme."

Commissioners simultaneous: "Aye."

Commissioner Burgess: "Any Opposed?"

[No Oppose]

Commissioner Burgess: "Any abstentions?"

[No abstention]

Norwalk Public Library Board

Commissioner Burgess: "Norwalk Public Library Board. I guess we've all read that we have a vacancy coming up. I'd be very proud to nominate Mary Mann because I think Mary's got the kind of personality to deal with some more obnoxious people on the library board, and make sure the District is represented."

Commissioner Ramirez: "I'd like to second motion."

Commissioner Burgess: "Are there any other nominations? Any other nominations? Any other nominations? Ok, all in favor of Mary Mann."

Commissioners simultaneous: "Aye."

Commissioner Burgess: "Opposed?"

[No Oppose]

Commissioner Burgess: "Abstentions?"

[No abstention]

Commissioner Burgess: "Thank you Mary."

Commissioner Mann: "I tried real hard not to oppose."

Commissioner Harris: "She does a very good job."

Commissioner Burgess: "I know but I know I'll hear about it later. I had to beg and (inaudible) a bit."

Policy Manual Update

Commissioner Burgess: "Policy Manual Update. It's yours John. "

Mr. Hiscock: "Behind tab 6 in your book is the policy manual this document started out in the early to mid 90's it was a document that was created primarily for the Second Taxing District Commission and the water utility when they were separate from the electric utility, and that's how it started out and if you glance through you'll see at the bottom of some of the policies some various dates when they were approved, the first one on travel was in 88 and then it was revised in 97 and then as the Commission adopted policies they were just simply put into the document. The document also use to be call the policy and procedure manual and the difference was that policies were approved by the Commission and procedures were internal document on how the department would operate always approved by management. When we got down to joining the electric and water utilities into a single body by ordinance in 2003 I believe we then were approving policies in the electric utility either prior to the consolidation by the Electric Commission or post that consolidation by the District Commission so that the approval of these documents has really been by different bodies at different times applying to different situations. In order to update, and these policies are important policies what we decided to do was to take the procedures manual and separate it from the policies manual and have the policies manual itself approved by the commission and then deal with the internal procedures through standard internal staff practices and adoptions. So we put the policies in one document in their original format with some information we then took the policies and edited them to make them current in places where it spoke of the water utility we added water and electric. In places where it spoke of the electric utility we renamed it water and electric as applicable some of the policies only deal with electric

customers some may deal with only water but we went through this process and it's not a completed process yet, we also removed whole sections from the policy manual that also in the employee manual, and that shows you how fractured that has been over time, and example there is a whole series of policies in the redline version that have been completely stricken out. An example on page 20 the policy regarding nepotism it was stricken because this policy has now been adopted in the employee manual and it doesn't really from our perspective make a lot of sense if the employee manual is also approved by the commission. Don't make a lot of sense to have the same basic document in two different locations because there's always this difficulty of making sure they are consistent, they don't conflict with each other and say essentially the same thing. So, what we've done here is layout the policies we believe should stay and this is really commission decision and you can see in the redline version the first thing we have is we've crossed out Second District Water Department and put South Norwalk Electric and Water Department. We believe that Second Taxing District should actually go under that and call it the policy manual. We modified the table of contents and then we start in, if you look at the introduction on page 4, it says the policy and procedure manual divided up into sections first section deals with policies of the department which are formally approved by the Second Taxing District Commissioners. And then the second paragraph the procedure section of the manual, the procedure section of the manual includes procedures approved by the General Manager involve internal functioning so we modified this to be the introduction solely for a policy manual. And went through and made changes that we believe as the staff makes sense in an attempt to update these modernize make them consistent with the fact that it is one unified commission one unified utility, we've provided it to you in the redlined version so that you can see what we've changed, so you could see the old policies and why they didn't necessarily make sense today and what we thought would be appropriate today based on our reading of them and trying to think of how the commission would react to these policies. If you go past the redline version there's a black lined version that we've put in after the pink folder and we put it in so that you could read what they would actually say once you got all of the additions and subtractions because sometimes when you so a lot those in the redline version it's very hard to read. So the purpose was to accept the changes and then print the document with the accepted changes. What we would like to do, one I'll like to talk to the commission and get feedback from the commission about the process and going to at some point formal approval of these and that's the not intention this evening, because there is a lot of information here, and decide whether we are going to do them all in one group and just take several each month and go through them, we recognize that the commission will probably have questions. Some of them we changed information to reflect the current time and those items that general deal with customers and customer relations we did not change in substantive issues. Examples we didn't change any of the deposit policies, we didn't change any of the limits we didn't deal with that, because we felt what was there at this point was appropriate. An example of one of the policies we thought should be changed was the policy on purchasing it was kind of out dated at \$300.00 for the limit to go out and get competitive prices, I mean that there isn't much you buy at \$300.00 that's worth that kind of effort, so this is staff's first attempt and my office's first attempt at making these changes, and it's my intention obviously to

introduce this to the commission and have the commission speak to the issues and what they, how we would like to proceed and how we would like to go forward.'

Commissioner Ramirez: "Through the chair, may I?"

Commissioner Burgess: "Yes."

Commissioner Ramirez: "First I would like you to commend to revise what it needs to be updated, no doubt about. I will concern about if you were going to ask for an approval today this document is a very serious and long a very committed, what I would suggest if it's possible that's my own opinion, how possible would it be to get a copy of your staff format manual to do the comparisons the policies that you wish to change perhaps, for some of the (inaudible) are changing they are suppose to be over the manual that you say was a duplicate so it doesn't make any sense to have it in both."

Mr. Hiscock: "Ok, let me."

Commissioner Ramirez: "And perhaps, second accommodation would be divide this approval in sections since it a very long and sensitive document, I believe that we must have quite a few details or questions, therefore to have it all at once it's going to take a few hours to go through the whole process I'm pretty sure. So if you divide it by sections it would be easier for everybody and the staff itself that's my advice. I don't know what the rest would do but."

Mr. Hiscock: "As to your first comment I have one clarification, the items that are now in the employee manual probably does not match with what's in here because this was adopted."

Commissioner Ramirez: "You said that this is duplication, but it's already there so it has to be matching."

Mr. Hiscock: "It was a duplication at one point and time ok, and I can certainly give you an employee manual and its actually online its available, but the customer service, commission approved on 12/17/91 policy regarding sexual harassment was approved 12/17/91 what has happened since 12/17/91, is we combined the two utilities, we had a unionized electric work force and we had a contract with the union employee's and the non-union employee's went by the old policy manual. After that we ended up combining the, we then un-unionized we didn't the employee's un-unionized and the we combined the union contract the old electric works employee manual and the old water utility manual into a single manual then we re-unionized and then we un-unionized again, and over time there have been tweaks to this language so I think probably the way I said it was a little bit misleading, and it sort of speaks to this issue of not wanting these documents in two places because that's what had happened to us. So I think you can look at this document and I can certainly give you a copy of the employee manual so you can see these topics in the employee manual today and how they are worded. I could do one

more issue I could take these documents and does a word compare on the two documents and give you the differences between the two of them but what I think what will happen is it will become this massive mess.”

Commissioner Ramirez: “That’s a little to um.”

Mr. Hiscock: “Yeah, if you make minor modifications to a document compare is it’s nice if you’re doing contracts work but this has change so many times over years that it is not going to work and be readable. So having said all of that where would you like me to go?”

Commissioner Ayme: “Through the chair.”

Commissioner Burgess: “Yes, go ahead.”

Commissioner Ayme: “If I may, how can this wait until the January meeting?”

Mr. Hiscock: “Oh Absolutely.”

Commissioner Ayme: “I suggest that we table the approval of the manual for the next available meeting, and.”

Commissioner Ramirez: “Excuse me, but we’re not approving this today, so it doesn’t have to be tabled.”

Commissioner Ayme: “I know that, ok.”

Commissioner Ramirez: “There’s no items to be tabled, this it’s just a suggestion if I understood correctly?”

Commissioner Ayme: “But it needs an approval?”

Commissioner Ramirez: “We don’t need no approval if I understood correctly.”

Commissioner Borges-Lopez: “No not today.”

Commissioner Mann: “No not today.”

Commissioner Ramirez: “As far as I understood you to set the comparisons and do the analysis is what you are supposed to be changing. My question was with all due respect (inaudible) I want to see what I’m going to approve verse what he was stating before, its duplicate in employee’s manual which is now is kind of suppose to be the same so I’m a little kind of I really need to see if it’s duplicated or not .”

Commissioner Ayme: "If I may, what I need is a clarification, I thought you said that it was up to the commission to approve these changes, is that right?"

Mr. Hiscock: "The employee manual is always approved by the commission."

Commissioner Ayme: "Ok, that's exactly what I'm driving at."

Mr. Hiscock: "The language that is in the employee manual has been approved by the commission, ok."

Commissioner Ayme: "Right, but the changes do not require approval is that it?"

Mr. Hiscock: "We're deleting these sections from the employee manual, because they were, excuse me."

Commissioner Mann: "Policy manual."

Mr. Hiscock: "Policy manual, because the most recent version adopted by the commission is in the employee manual."

Commissioner Ayme: "Oh I get it, ok."

Mr. Hiscock: "Ok, this is just merely a deletion and I can provide you the employee manual so you can see the replacement language for those sections that are completely lined out."

Commissioner Ayme: "Ok, since this is going to require a time consuming session can we set up something at the beginning of next year like a Q&A with employee's whoever is in charge, whoever knows the most let's put it this way about the changes that are taking place here so that some of the commissioner can come in and then we can have a back and forth session"

Mr. Hiscock: "Umm you could do that but you are going to find that you are going to be talking to me."

Commissioner Ayme: "Ok, alright."

Mr. Hiscock: "You're not going to be talking to the staff I, we sent this to the department head to look at, to suggest changes based on their knowledge of what we're doing but they all came back to me and I took the ones I thought made sense from them and applied them here, and for the most part 90% of the changes are directly mine. These were written originally by my office, they've been changed by my office, some of them had legal reviews some of them haven't. I could certainly do that I can sit down with anybody who would like to that's not a problem I have no problem with doing it, but it won't be productive if we get into a discussion and one or two commissioners decide

they don't like the language and then comes to the full board and the full board wants to go back and forth with it, I think you are way better off taking two or three."

Commissioner Ramirez: "Sections at a time."

Mr. Hiscock: "And just scheduling them item by item on the agenda it will be like, item 5 policy manual 5.1 it will pick one 5.2 will be one, and we will discuss each one of them and each one of them will be in the board book."

Commissioner Ayme: "At different times?"

Mr. Hiscock: "As different times, cause you couldn't, we could be here for hours going through this."

Commissioner Ayme: "How many sessions is this going to take?"

Mr. Hiscock: "Well here let me point something out to you, in the beginning there are a lot of changes to these because they are very old, but if you look towards the back of the redline version, you'll notice that are some brand new policies that there's almost no modifications to at all, just some corrections of some words. In fact the most recent policy that you approved I believe you were all here for and it was approved on August 1, 2011 that's the policy on infrastructure and data release we talked about all of that. So that one you will see there's not a change on it. The one before that was approved, well unfortunately they are not in chronological order so I would suggest that if we do them a little at a time, we simply that the oldest ones, the ones with the most changes and start with those because those are the least workable at this point and time, they have the least problems, they have the most problems that are the hardest to pay attention to, and I think that would work better than anything else. And some of these policies the commission may not want to continue to (inaudible)."

Commissioner Ramirez: "You have two questions here Chair."

Commissioner Burgess: "Yes."

Commissioner Harris: "Through the chair, I just have a quick question about the types of accounts are condo's considered apartment units?"

Mr. Hiscock: "Yes."

Commissioner Geake: "Through the chair, this may sound like I'm getting all technical but on some of the bottoms of this it will say Commission approved and its 2006 then the next one will be approved by District Commission 2009, and then the next one it says approved by the Second Taxing District 2004, why does it say all of this different things?"

Mr. Hiscock: "Because they were done piece meal over time."

Commissioner Geake: "Can they make a change and have every one of them Commission 20 and."

Mr. Hiscock: "That would be the goal, that plain and simple in the end they will all be approved by this commission on a specific date and it will be very clearly stated approved by the Second Taxing and a date. The problem was some of the earlier ones the District Commissioners were Water Commissioners they weren't Electric Commissioners so some of the language varies based on the time when we actually approved it, because after we merged the two utilities into a single operating unit we still had two commissions. At one point we had Electric Commission meetings and District Commission meeting and I was going and reporting to both commissions, so this was developed over time so what it says on the bottom is what it originally said the day it was approved."

Commissioner Geake: "Ok, like the Second Taxing District what was it then both of them?"

Mr. Hiscock: "The Second Taxing District Commissioner prior to 2001 when they adopted these they were adopted solely for the District and the Water Department and the Water Commission because the Electric Commission had separate and distinct authority. That's why this document is really dated and really needs to be fixed."

Commissioner Geake: "Ok, just curious."

Mr. Hiscock: "And you know I thought about changing all of those and making it clear which commission but I thought that would just add a little bit more confusion because you know it was the electric commission before consolidation there was electric commission after then we did the charter revision and it was one single commission, I didn't see the benefit of the changing all the bottoms of those other than this explanation right here and now."

Commissioner Ramirez: "Through the chair, once we approve this with all it will be all uniformed from now on?"

Mr. Hiscock: "We will make all the documents uniformed, the titles will be uniformed they'll be done all in the same styles because each one is a different style, depending on when and where they were adopted, some of them were controversial when they were adopted some of them just weren't. As you can see there was one from the 80's in here and at the times some of them had to do with politics and some of them didn't, the first one I think you see in the book has a lot to do with politics. Some of you are too young to remember back then at least from the District's (inaudible)."

Commissioner Ramirez: "So will it be fair to say by the next meeting we'll be would you select now or through the chair later on select what items will be presented to the next meeting? Or how does that go?"

Mr. Hiscock: "The way the agenda is set is through the chairperson, sets the agenda's so the chairperson and I will have a discussion as to how many to put on will undoubtedly be cognizant of your time and effort because in January you are going to have a really, really difficult commission meeting, it's going to be long. We have electric rate issues and another presentation by the rate consultant we've come with a really good plan that you'll probably all think is pretty good, and we're going to have a series of employee manual and job descriptions changes and other things so January meeting will be long, so we probably won't put a lot of this in there. This is sort of a goal to get done as we go through it."

Commissioner Burgess: "Well this isn't really pressing, this is not going to damage the utilities in anyway if we wait until after January?"

Mr. Hiscock: "No, there's absolutely nothing in here that needs to be correct because if isn't corrected we're going to be at risk, absolutely true."

Commissioner Ramirez: "So would it be fair to say, perhaps if we started after the next January meeting with this? Since the January meeting is going to be very long, I mean you already have a very long agenda right? Perhaps we can translate into the next umm."

Mr. Hiscock: "Yes, I think we should just move through these as there is time available based on the amount of items at that particular meeting, and if we have a light meeting maybe we'll take two, three or four of them."

Commissioner Ayme: "So there is no time frame on this here?"

Mr. Hiscock: "There is no specific time frame."

Commissioner Ayme: "It can take six, seven months whatever it takes."

Mr. Hiscock: "I hope it doesn't take that long and yes it could."

Commissioner Ramirez: "That makes sense."

Commissioner Burgess: "Does anyone have any more questions on this?"

Commissioner Ramirez: "No, I was just very concerned about when I saw all these documents."

Commissioner Burgess: "Why yes, I know."

Commissioner Ramirez: “(inaudible) hoping that they were not going to ask for an approval today.”

Mr. Hiscock: “No, and I think you are going to have some policy discussions as we review these. It took twenty years to approve them we can’t do it all in one night.”

Commissioner Burgess: “Is that it on that part of the agenda?”

Mr. Hiscock: “That’s all I have unless somebody else has comment or narrative.”

Commissioner Burgess: “Item 7, then.”

Customer Notification and Public Hearing When Considering Rate Increases

Mr. Hiscock: “Ok, behind tab number 7, we received some comment and certainly are all aware of this ah situation and based on the input from electors are the annual electors meeting and memorandum that was sent to the commission on November 28th based on suggestions of the Golden Hill Association we wrote a draft of a customer notification and public hearing when considering rate increases kind of a wordy way to put it but, and we struggled with those words because we were having a, we wanted to make it clear on the agenda this evening that we were not contemplating a rate change tonight we were not talking about rate change or anything else, we wanted to make it clear it was the customer notification and public hearings that we were dealing with. Therefore, we will change that heading as we go through this process to make a little bit more sense however. So we have South Norwalk Electric and Water rate increase and public hearing policy that’s at least a reasonable title, there’s a policy and purpose as to why we would be doing this and then some procedures that sort of lay out what we are attempting to do, now this was really based on a practical in my mind only and the commission need to discuss this, in my mind a practical application of the item that Golden Hill felt need to be addressed, ok. This is not anything other than that, so it’s not by any means something that needs to address in this forum, this is essentially what we call sort of a straw man it’s the first shot at it so you can all comment speak about it and decide its workable the way it is, it’s not an impediment to utility operations the way its worded, and I’m going to be quiet now.”

Commissioner Burgess: “Well I have, go ahead Mary.”

Commissioner Geake: “Through the chair, first of all under the first procedures I don’t have a problem with anything except putting the placement of the display ads in the local media, I think that cost too much money and it should be abolished if we so things the way you want like posting the notice on the SNEW website, I think that instead of doing just that we can get a kid, we can hire a kid to update the website but as a intern only so he’s not getting paid but he’d be able to work on the website and then he would get a letter from SNEW thanking him for what he did, you know, I mean these kids when they

are kids they need stuff to go in their resume. Kevin can be his supervisor or maybe someone else if you felt that but our website sucks, I'm sorry but it really does."

Mr. Hiscock: "It does."

Commissioner Geake: "And it needs to be done and these kids have the, they know how to do it in ways that anybody big could be trying to figure out for ten year, us old people versus the young new people. And the other issue is on the website itself the minutes that we have not approved yet are not listed as pending they're right out there and so if they would just have on there pending till we approve them but I feel that's in violation as well, I didn't know if that was an FOI violation? We couldn't figure it out but I thought I better bring that to your attention."

Mr. Hiscock: "That is very specifically an FOI issue they need to be posted within seven days of the meeting. However, that's not the real issue with respect to that, when you approve the minutes of the meeting here at the table you are being asked for corrections, changes, errors we do not change the basic minutes, they never the responsibility for the minutes themselves are that of the clerk, they're not the commissions minutes they're the clerks minutes of what occurred, and the clerk is the one who is legally responsible for the minutes not the commission. So that if you have a correction this evening for last month's minutes that correction appears in the minutes for this meeting, we will not go back and change this document ok. And this is one thing that always occurs and we have talked to legal counsel about it that the commissions opportunity to make corrections and comments it is what really happens when you approve the minutes, the actual minutes are attested to by the clerk. If there's an argument between any commissioner and the clerk it's the clerk, that commissioner can make a comment at the next meeting that they feel it's a problem, and that always the issue that you run into when you deal with kind of a situation and that's just essentially the way it is."

Commissioner Ayme: "But she also, through the chair."

Mr. Hiscock: "So that's why they are not listed as pending."

Commissioner Geake: "Ok."

Commissioner Ayme: "She's also talking about the display ads."

Mr. Hiscock: "Yes."

Commissioner Ayme: "I think the display ad is essential, to be published because not everyone has a computer and especially the elderly."

Commissioner Ramirez: "That's correct."

Commissioner Ayme: “The elderly tend to get their news mostly from newspapers rather than a computer. That’s how I feel I think it’s essential that we publish that in the papers.”

Commissioner Burgess: “I’d like to say something, I think not everybody has a computer but not everybody reads the newspaper either I think a notification in each of our customer’s bill, that at the next meeting we will be discussing possible increase in rates, or whatever we think they need here, would work better because everybody doesn’t, I’ve had people call me and say save the paper for me. Not everybody is on the internet, not everybody gets the paper I think if every single customer and that includes our water customer who are not in the district gets something on a hot pink piece of paper in with their bill that’s says attention at our next meeting we will be discussing, that would be I think a good way to start.”

Mr: Hiscock: “That is problematic because we only bill our water customers quarterly, and it’s on a rotating schedule so we would then have to notify the customer four months in advance.”

Commissioner Ramirez: “Through the chair, you both of you not everybody has a computer or goes to the internet and not everybody get the newspaper it’s a combination of ingredients to get the customers to know exactly what transpired.”

Commissioner Burgess: “No, I’m not suggesting we don’t use the combinations, what I am suggesting is that we don’t need to go and jump right into public hearings at this point. I’m suggesting that we try it with all the methods of notifying people first.”

Commissioner Ramirez: “I believe to be very clear, be fair to everybody by utilizing every ingredient that is suggested to be utilized, I think it would be fair for everybody, I think there is one way or shape or form it would be no excuse for anybody at later time that they didn’t know. So by utilizing the media the internet the you’re suggesting that it would be more appropriate more fair for everybody for those that buy the media or have a computer or not have a computer buy the paper or not buy the paper one way or the other utilizing different channels would be better.”

Commissioner Ayme: “If I may we are talking about two different things here.”

Commissioner Ramirez: “(Inaudible) exactly what it says here what are you talking about?”

Commissioner Ayme: “We’re talking about two different issues if you will allow me. We’re talking about two different things we’re talking about number one notifications and I think what the chairperson was referring to is that we should not.”

Commissioner Burgess: “Public hearing.”

Commissioner Ayme: "Public hearings, those are the two things we are talking about."

Commissioner Burgess: "See these people can all once they are notified, first of all they could go on our website now and get to the meetings, but once they are notified by all these various methods they can get to our meetings and speak."

Commissioner Ramirez: "But why not be fair when not providing them with a hearing? I mean what does."

Commissioner Burgess: "It's extra work, its extra money, extra time."

Commissioner Ramirez: "But we are committed to our recipients, we are committed if we got elected to serve the community."

Commissioner Burgess: "Then why can't they just come to our commission meeting and speak?"

Commissioner Ayme: "I agree, I agree why call a special hearing when we can, we announce meetings anyway, and we can add will be discussing rate increases or whatever and they can come in and we have a public participation section in all of our meetings."

Commissioner Ramirez: "Look at what the government does for the city in most of the big projects they have to be approved by the city, as far as I understand mostly every government does provided hearing to the community to allow them to express and well as they are always invited to meetings it's the process of the government it's an extra meeting it's not a big deal, ok."

Commissioner Burgess: "But they are allowed to speak at our meetings."

Commissioner Ramirez: "I understand that, I understand this is specifically a hearing for the specific subject, an issue that will affect the quality of life in our residence, in our community, in our customers, seniors and non-seniors ok, it's only one single night. It not like I say we are going to do a series of hearings, no , it's only one single meeting that will transpire no more than an hour, one simple it's an effort ok, it shows our recipients that yes we are committed, yes we are here to serve and assist in anyway shape or form. It's your pocket my pocket everybody's pocket that we are sacrifice at the end ok. And especially for those for that receive only one check a month and to increase x number means less on piece slice of bread or perhaps last cup of coffee that they are not going to buy because they have to pay water or electricity, so it is a feeling that not everybody has cannot (inaudible) on Tuesday's, perhaps maybe it will be a different date, not going to be the same day. "

Commissioner Ayme: "Well there's no way we are going to be able to determine which day is better for."

Commissioner Ramirez: "Of course not, of course not, nobody can predict."

Commissioner Burgess: "Commissioner Geake you had something."

Commissioner Geake: "Through the chair, how much well John how much roughly would it cost for us to have a public meeting? Such as we are discussing now? Because I know to have a regular commissioner's meeting how much does it normally cost roughly? Just so I can get a general idea."

Mr. Hiscock: "The legal notice that you see is depending on its size is depending on its size anywhere from \$300.00 to \$400.00 max, a display ad and we have a lot of experience with display ads you see them from time to time when we do hydrant flushing we do a significant number of display ads because we change from neighborhood to neighborhood and don't hold me to the number but I will tell you that the display ads for hydrant flushing every spring probably runs us between \$2,000.00 and \$3,000.00 maybe a little bit more, each one generally is about \$700.00, so you're going to change one every week, each week they change so it's \$750.00 a pop if it's a four or five week program that's the number you are talking about. So what would a hearing cost? A hearing would cost a public notice ad for about \$250.00, a displace ad, if that's the route you are going to go for about \$750.00, so that's about \$1,000.00 the rest of the expense is simply transcription time of the hearing."

Commissioner Geake: "At roughly?"

Mr. Hiscock: "Eight hours of work at."

Commissioner Geake: "\$20.00 an hour but cause I don't know how many people have to do it?"

Commissioner Ayme: "No."

Mr. Hiscock: "Try about \$50.00 an hour,"

Commissioner Ayme: "Yeah, exactly."

Mr. Hiscock: "I'm not saying that the salary but, I'm saying."

Commissioner Geake: "Well I know you have so many other people that have to do it so, eight hours so \$400.00."

Mr. Hiscock: "Yeah, \$400.00 or \$500.00."

Commissioner Geake: "Ok."

Commissioner Ramirez: "So, \$1,300.00?"

Mr. Hiscock: "Now that's not cause we are using an outside transcription service, you need to understand that's not outside the parameters of the budget but it does cost that much."

Commissioner Geake: "Ok, I just wanted to know."

Commissioner Ramirez: "We're talking about roughly expensive \$1,500.00."

Mr. Hiscock: "To \$2,000.00, \$3,000.00 max worst scenario, it could take along for three hours or so. You know if it's a one hour meeting its in that range if it's a three hour meeting you are going to get up to the big number."

Commissioner Ramirez: "I don't think it will be a three hour meeting, I'm definitely not going to be here for three hours."

Mr. Hiscock: "Probably not we don't give up, I can give you an example that I will tell you I only know third hand, but when First District went through this process about ten people showed up, and not to put on the record how high they raised their rates but their rates were lower than ours so that their 40% increase was actually less costly to the customer than our 30% increase, but neither here nor there."

Commissioner Ramirez: "It would be unfair to predict what's going to happen though, if it doesn't work then we eliminate it's as simple as it is at least it would be a demonstration of a good faith that we attempt to extend our effort to assist our community if they do not attend well then guess what don't cry later."

Commissioner Ayme: "I don't think the expense is warranted, when we can offer."

Commissioner Burgess: "We are not looking for approval for any of these."

Commissioner Ayme: "No."

Commissioner Ramirez: "Right, it's just a suggestion."

Mr. Hiscock: "Well I think that, I'm not asking for approval of this document this evening, no but what I am telling you I that if and its only my opinion and you all come to your own individual opinion that there is a little bit of pressure at this point and time to respond to the group, so I think we need to make a good faith effort to acknowledge their comments and find a way to work their comments into what we do. You're all aware that there was a newspaper article where Mr. Duff, State Senator Bob Duff was critical of what we did, and he indicated that believed he was going to take an action, that action he has either indicated an intent to file, I don't think there has been a document filed yet, obviously the session hasn't started but it has been picked up by the water utility trade association so it's not just been in the local paper it something that been disseminated statewide, so that's the other consideration here you know from my perspective that is a

parallel thing that maybe going on. Now I don't know whether or not, I'm going to stop there."

Commissioner Burgess: "Go ahead Commissioner Harris."

Commissioner Harris: "So if we were to approve this tonight then would you send it to Golden Hill or other people who have had issues or what would happen thereafter? After it's approved?"

Mr. Hiscock: "I have sent this draft to the two individuals from Golden Hill who spoke at the meeting basically explaining this was a first attempt to address their concerns and that it was being discussed this evening. One of the individual is out of town and emailed me that he would be able to make the meeting but that he would make comment when he got back if in fact the commission was going to deal with this at the January meeting."

Commissioner Ramirez: "Through the chair, but basically when you respond to them you sent them the draft is that correct?"

Mr. Hiscock: "Excuse me?"

Commissioner Ramirez: "You sent this draft to them?"

Mr. Hiscock: "This is the draft document for your discussion."

Commissioner Ramirez: "Right, but you mailed it to both of him or both of them?"

Mr. Hiscock: "Yes."

Commissioner Ramirez: "To the fellow that you spoke with did he demonstrate that he was in agreement or sort of like contemplating that this was more appropriate or he was discontent with this proposal also?"

Mr. Hiscock: "I wouldn't characterize his response as either of those, I would say that simply said he would like the opportunity if the commission is not taking it up until the January meeting to comment on it before the January meeting. I think he characterized it as a good first step, and you can infer what you would like from that, I remember good first step was part of the language. "

Commissioner Ramirez: "So, through the chair, if I understood correct ok, it that basically listening to you through his response so there is actually no action should be taken on this matter right but now until next meeting?"

Mr. Hiscock: "I surely think that is the commission decision and not."

Commissioner Ramirez: "But this fellow that spoke to you he would like to see or perhaps."

Mr. Hiscock: "I'm not being rude in trying to pick the email up right now so I can tell you exactly what was said."

Commissioner Ramirez: "I guess you read my mind."

Mr. Hiscock: "Let me see if I can do this quickly, I think it came in last night it will take another second if I'm lucky, ok" ' I will not be able to be at the meeting on the 20th because I'm away on vacation the draft is a good start, I would like to review further and when I get back in January make any suggested changes for the January meeting if that not too late.'

Commissioner Ramirez: "So therefore, we should not be taking any action at this point, lay it out in the open until next meeting simple as that."

Commissioner Mann: "I kind of think that's our decision I mean you know."

Commissioner Ayme: "Yeah."

Commissioner Mann: "That's one individual's you know personal opinion and like he says if it has not been decided upon, I would like to come to the meeting and I do respect that don't get me wrong but I think of this commission wants to make a decision regarding this tonight that comment is totally irrelevant. That my opinion, but I do have a question for the water customer if we needed to do a special mailing, say we wanted to send outside of the billing process a special mailing to all of our customers to let them know a potential rate increase, is that very difficult can our system accommodate that?"

Mr. Hiscock: "It's not difficult we are very ,very automated simply the letter is drafted it is then printed internally we have stock envelopes, that we send out we have automated stuffing machines, somebody spends an hour or two maybe three in front of the stuffing machine or three hours while the 9,000 get inserted in 9,000 envelopes and the cost is that of a first class letter which I believe is I can't give you the exact number because we use a presort program where you get some bulk mailing discounts, but let say the postage is in the upper .30's for a first class letter for us and so 9,000 times .50¢ by the time you deal with the cost of so \$450.00 to \$500.00 to send a first class letter to each of our customers."

Commissioner Mann: "So why would it not be a consideration for a special meeting notification?"

Mr. Hiscock: "Oh it certainly would be."

Commissioner Mann: "Of a rate increase."

Mr. Hiscock: I certainly would not have an issue with that I mean we send first class letters to customer when there are significant events, that's we really announce the rate increase through a first class letter, it's not unusual for us to do that, I mean we do it we make a determination that in fact it's an issue important enough to notify the customers first class as opposed to an insert. I mean we kind of have this feeling that I know I do it and I don't know how all the rest of you react but when I get a bill from CL&P and its stuffed full of all that garbage that the DPUC makes them send out.'

Commissioner Ayme: "You said something 9,000 letters."

Mr. Hiscock: "Right."

Commissioner Ayme: "At 50¢."

Mr. Hiscock: "Yeah, I'm sorry its \$4,500.00."

Commissioner Ayme: "\$4,500.00."

Mr. Hiscock: "\$4,500.00 not \$450.00."

Commissioner Ayme: "Not \$400.00."

Mr. Hiscock: "You're correct boy my math is poor."

Commissioner Mann: "So either way it's an expensive proposition."

Commissioner Ayme: "Very expensive proposition."

Commissioner Ramirez: "That's a lot of money.'

Commissioner Geake: Through the chair, the only other thing would is that would have to be planning at such a time it could be inserted in their mailing, and already they are paying the bill and we are going to mailing it out and then that way it can be inserted in the mail that you have two and three months time or something like that."

Mr. Hiscock: "It's hard to notify someone of a hearing three months in advance."

Simultaneous: "Yes"

Mr. Hiscock: "They simply are not going to remember."

Commissioner Mann: "That's not something I would, electric is one thing water is a different."

Mr. Hiscock: "Yeah, the electric is very simple, it's a simple insert and we can make them pink and green and yellow and florescent and we can try to catch their attention and really if you put it in the electric bill and somebody then complains they weren't aware well shame on them. I mean is really hard for them to argue that gee you didn't design it in a way that caught my attention I mean that becomes, the water is more problematic it clearly is, clearly more problematic."

Commissioner Mann: "How many water customers do we have?"

Mr. Hiscock: "9,000."

Commissioner Mann: "Just water."

Mr. Hiscock: "Just water, there are 6,600 electric customers and 9,000 water customers and their not the same customer, you need to understand that the customer for the water utility is the property owner, the customer for the electric utility is the tenant of the owner, so that there's probably out of that group there's probably less than 1,000 that go to the same person or persons."

Commissioner Ayme: "In the website, through the chair if I may, we have the schedule for all of the meetings for the year."

Mr. Hiscock: "Yes."

Commissioner Ayme: "Ok, um can we make an announcement of these meetings once a month ."

Mr. Hiscock: "It's usually in the Saturday Hour."

Commissioner Ayme: "Ok."

Mr. Hiscock: "In the legal section."

Commissioner Ayme: "How does it read? Does it say public participation invited?"

Mr. Hiscock: "No, it reads exactly as the agenda, it just happens to be a little skinner, and we neglected to put public participation on here."

Commissioner Geake: "Yeah, I was gonna say, public participation not on there."

Commissioner Ayme: "Alright, can we highlight or bold letters public participation? And that way that's and announcement that we are making and we don't do a special hearing."

Commissioner Ramirez: "But that's not a hearing? Public participation."

Commissioner Ayme: “We’re trying to save money here, because money is pretty tight. And that way we are announcing every month you’re welcome to come in and say as you will to the public. That’s what I think, maybe in larger bolder letters so people will see it. Public participation is welcomed invited or whatever.”

Commissioner Harris: “In the bill, you’re proposing putting that in the bill?”

Commissioner Ayme: “On the paper, in the announcements.”

Commissioner Harris: “In the newspaper.”

Commissioner Ayme: “Yea in the newspaper.”

Mr. Hiscock: “You need to think about the unintended consequences of that, because these are commission meetings they are not public meeting and if you put a statement encouraging people to come here, they’re going to anticipate that it’s going to be a interactive session in which they can ask questions and get responses. And it will become a question and answer period as opposed to what we do now , where they are simply allowed by sort of a rule that they get two minutes to speak and it sort of the rule because it was adopted by the District Commissioners I think sometime in the 90’s it was adopted by Otha Brown, Leonard Harris, and Paul Autuore, when there were people who came to meeting and there were arguments so they were created this public participation I guess you can call it a resolution limiting it to two minutes at the foot of the agenda, and that how it all started, so what I’m saying to you is unless you want to get into that kind of dialogue that seems to be a little bit dangerous .”

Commissioner Ayme: “We can make it clear at the beginning that the before we open the floor to the public that the public will be able to state their case or whatever they want to talk about but there won’t be any discussion by the commission at that point and time. We could put on the paper (inaudible) with the same (inaudible) that this is the way it’s done I’m trying to save the money , I mean, I don’t have to say how tight things are so that’s my main concern to avoid a public hearing it takes money.”

Mr. Hiscock: “If you look at number one, I’m not trying to be argumentative. Will notify the elector’s of the potential rate increase by placing a display ad that’s \$700.00 positing on the website is free.”

Mr. Ayme: “Right.”

Mr. Hiscock: “And immediate press release is free.”

Mr. Ayme: “Right.”

Mr. Hiscock: “As written here it doesn’t require the first class letter to the customer, now it does say other notification methods as appropriate, and that was put in there as a catch

all that you can add anything you want to, or we could add anything we wanted to depending on the circumstances it wasn't just meant to make sure the other items were not the only methodology the only exclusive methodologies."

Commissioner Burgess: "You are not expecting us to vote on this tonight."

Mr. Hiscock: "No I'm not, I really out this in here, if you look at the action required my comment was discuss the draft notification policy and make recommendations for improvements if a significant number of changes are necessary the policy adoption can be scheduled for January meeting, I was anticipating that's probably what would happen here I knew this was not going to be an easy topic."

Simultaneous laughter

Commissioner Harris: "Just two things, under number one in the procedures."

Mr. Hiscock: "Yes."

Commissioner Harris: "One of the wills probably should go you have SNEW will, one of the wills."

Mr. Hiscock: "Either one can come out."

Commissioner Harris: "And the second is did you hear from the other person to whom you sent the draft?"

Mr. Hiscock: "Yes, he also emailed me, and said thanks John will review it. Ok, now he was also copied on Jim Delgreco email to me. So in other words it's a triangle all three of us know what each other said in this process so he was cognizant of Delgreco's email back to me and probably figures there would be an opportunity. Now they also looked at this, I mean other than typos and there are actually more than one in there if you look at this considering this is a long way from the process we've used, so this is an improvement, so it's certainly not going to be a complaint but on the other hand you know I didn't want them to believe that the commission was going to adopt this, this was a discussion and that all it was."

Commissioner Ramirez: Through the commission / chair, this is the good intent of good faith that we are providing on behalf of this commission and to the (inaudible) of our CO, here ok."

Commissioner Geake: Through the chair, I know that they have said that they wanted emails and things like that coming out, that I always felt there was problems with the fact that I couldn't get the information that they need so I could be posting things via email. So I think this is a happy decision but then again I don't like the website I like it to be

changed and I'll like you to get an intern to do it so it doesn't cost us anything. That's my opinion.

Mr. Hiscock: "We will acknowledge we have had a lot of discussions about the website because it's very difficult to find the minutes of the meetings, very difficult to find, very difficult there is no doubt that these no doubt that, I don't share your opinion that necessary a intern might do a better job than staff."

Commissioner Geake: "I think it would be perfect, only because I know of individual on Christmas break and they are looking for something to do so they can get fabulous referral and that important when a person is building up their resume."

Mr. Hiscock: "I don't want to be governed by an outsider's schedule."

Commissioner Geake: "Oh that's true too."

Mr. Hiscock: "Surely governed by an outsider's schedule"

Commissioner Ramirez: "Anything else we are going to discuss to this or?"

Mr. Hiscock: "Could you, ok I'm getting a sense that a formal hearing is open for debate still and you all have different opinions."

Simultaneous yes

Mr. Hiscock: "And I've also gotten from this that cost is consideration."

Simultaneous yes

Mr. Hiscock: "And first class is, expensive and problematic, despite my not being able to do math very well."

Commissioner Ramirez: "I don't believe we should be doing first class mail, I do strongly believe in an opening hearing yes, utilizing all the notification except the first mail, that's a little too expensive."

Mr. Hiscock: "As contemplated here this process will take about 90 days because of the 30 day notification at the end of it, that's another thing to consider is that too much notification, I don't know."

Commissioner Mann: "Yeah, does it have to be 30 days?"

Mr. Hiscock: "No this was."

Commissioner Mann: "I think two week notice."

Mr. Hiscock: "I think clearly."

Commissioner Mann: "I say two week notice is enough."

Commissioner Geake: "I say 7 days."

Commissioner Ramirez: "Two weeks would be sufficient enough."

Commissioner Ayme: "I agree."

Commissioner Ramirez: "30 days probably by the time the 30 days would occur."

Mr. Hiscock: "For a practical perspective you meet the third Tuesday right? So if two days after the third Tuesday we did the notification they would have about a week. It's different when it's a surprise it another thing when they know it's under discussion, because then if they are actually that concerned they can make the meeting."

Commissioner Burgess: "Any other questions?"

Mr. Hiscock: "If you don't mind, I try looking for some guidance here, the sort of policy preamble at the beginning does anybody have a problem with the concept I'm not talking the actual words, but the way of stating it you know it's our intent to know provide information and input whenever we are considering a change and recognizing the current procedure is not the greatest and you know sufficient t notification when contemplating a rate increase therefore SNEW will proactively notify customers. I mean the tone of that doesn't bother anybody does it?"

Simultaneous no

Mr. Hiscock: "I just wanted to make sure that I wasn't."

Commissioner Geake: "We know it's the 21st century."

Commissioner Ayme: "When you say proactive it all depends on how the not so much the commission but how will the public perceive that? Proactive for some people may be a couple of announcements or a couple notifications but other people will think like I'm going to get something almost every day."

Simultaneous no

Mr. Hiscock: "I struggled with proactive, I didn't like the use the use of the word at all it was back and forth and back and forth, the other suggestion, therefore SNEW will provide advanced notice."

Commissioner Ayme: "I think that sounds better."

Commissioner Geake: "I like that better."

Commissioner Ramirez: "Ok, that's good"

Mr. Hiscock: "We really struggled with that one."

Commissioner Ayme: "Proactive yeah sounded like."

Commissioner Ramirez: "That sounds good."

Commissioner Ayme: "That's why I made the comment."

Mr. Hiscock: "When we were editing and going back to it, it was like."

Commissioner Ramirez: "Advanced notice."

Mr. Hiscock: "That's sort of in the very end of this once we agree on what we are going to do.. So now between now and January the commission has to think about whether you want a hearing , some on you said one thing some of you said the another eventually you're going to come down to it and."

Commissioner Ramirez: "From the notification and the rest of my peers here I'm very I strongly believe we should have a hearing, that's my opinion right now, I'm just letting you guys know where I stand."

Mr. Hiscock: "I have struggled with hearing and I will talk to counsel if you don't mind about if there's any connotation of hearing that in parts any greater pont to those in the public to speak, in other words does the commission's decision have to take the hearing into account, and I'm not saying it shouldn't take into account. And I was considering maybe the word public meeting might be better. I will tell you when First District did it Frank Zullo made it very clear to me it was not a public hearing it was a public meeting, so I will talk to counsel about that and maybe meeting is a better word but still you are seeking the input but."

Commissioner Ramirez: "We'll obviously that would be the whole reason otherwise why would we have a meeting I mean it doesn't make any sense."

Mr. Hiscock: "So if the word meeting helps as opposed to hearing, I certainly think that's an appropriate way to go."

Commissioner Burgess: "Does anybody have anything else?"

Commissioner Ayme: "Just a comment if I may, through the chair, out of all the commission that I have participated on when we held public hearings at the end that the

public participation whoever wanted to come forward would be declared ended and then the commission would make deliberations and come to a decision right then and there.”

Mr. Hiscock: “I go to a lot of hearing and most of them are regulatory based and you do end of with that kind of statement the hearing is now ended public input or you will get a statement from the commission saying that or the body that you’re dealing with will say that the oral portion of the hearing is and will accept written comment within the next 14 days, sometimes you get that it depends on the body that you’re dealing with.”

Commissioner Ayme: “It’s a more formal type of thing.”

Mr. Hiscock: “A hearing is a more formal connotation that’s the short.”

Commissioner Ayme: “A motion to adjourn.”

Commissioner Ramirez: “Motion to adjourn the meeting.”

Michael Geake: “When the public wants to comments you don’t give them a chance?”

Commissioner Geake: “It wasn’t on the agenda. Do you get to comment Michael?”

Commissioner Ayme: “It’s not on the agenda?”

Commissioner Harris: “Did somebody second the motion?”

Commissioner Geake: “There’s a motion on the floor, it didn’t have public participation, by Mr. Geake.”

Commissioner Ayme: “Oh, Mr. Geake.”

Michael Geake: “The first time I wanted to actually to speak.”

Commissioner Burgess: “Oh I’m sorry, I forget you’re public, we just think you’re part of the family back there, go ahead Michael.”

Michael Geake: “Oh , I sort of am, first off I hope yall appreciate how hard it is to sit and not say something while yall are deliberating. Second, I respect the comments about the need to notify and all in the display ads but for you next meeting if you would consider, that display ad is \$750.00 and the left most column of page three which you certainly can get information into if you gave it to the paper early enough is free and press release of a rate increase will certainly get an article. I read the articles I don’t look at the ads, so most people that you are trying to hit probably see the article long before they see the display ad, and for your information I do happen to be a member of the Golden Hill Association. ”

Commissioner Ramirez: "That's a good suggestion."

Mr. Hiscock: "Yeah, the press release is in the next section."

Commissioner Geake: "So we would have to do that."

Michael Geake: "Hey, I'm a cheap SOB I don't wanna spend \$750.00

Commissioner Ramirez: "That's what I'm referring to."

Mr. Hiscock: "Ok, so we've had our public input."

Laughter

Mr. Hiscock: "And you don't need to debate with him under the rules."

Commissioner Ramirez: "Very well done."

Michael Geake: "However, I know one of your Commissioners will be."

Commissioner Geake: "I make a motion that we adjourn."

Commissioner Harris: "I second."

Adjournment

The meeting adjourned at 8:21 p.m.

Attest:

Gwendolyn Gonzalez
Asst. District Clerk