

SECOND TAXING DISTRICT COMMISSIONERS

Regular Meeting Minutes
September 20, 2016

Present: David Westmoreland Chairperson
Maria Borges-Lopez Vice Chairperson
Harold Bonnet
Mary Geake
Mary Mann
Sandra Stokes
Martha Wooten-Dumas

Absent: None

Also Present: Paul Yatcko General Manager
Kevin Barber Director of Finance & Services
Lisa Roland District Clerk
Frank Murphy, Esq. Tierney, Zullo, Flaherty & Murphy
Kara Murphy, Esq. Tierney, Zullo, Flaherty & Murphy
Mike Sutton Benefit Planning Services LLC
Christopher Fisher Cuddy & Feder LLP

Public Present: None

The meeting was recorded in its entirety.

Call To Order:

Chairperson Westmoreland called the Regular Meeting of The Second Taxing District to order at 7:04 p.m. on Tuesday, September 20, 2016. The meeting was held at South Norwalk Electric and Water, One State Street, Norwalk, Connecticut.

1. Acceptance of the Minutes:

1.1 Regular Meeting Minutes of June 21, 2016

A motion was made to accept the first item on the Agenda - the Regular Meeting Minutes of June 21, 2016 – by Commissioner Mary Geake, and seconded by Vice Chairperson Maria Borges-Lopez.

Minutes were approved unanimously.

(16-09-20-1.1)

Public Participation

No Public was present.

CONSENT AGENDA

2. Legal Counsel – Annual Retainer – FYE 2016 – 2017

Mr. Yatcko stated that the Second Taxing District has worked with the firm of Tierney, Zullo, Flaherty and Murphy for many years, with Attorney Frank Zullo serving as lead counsel and assisted by Attorneys Frank Murphy and Kara Murphy. The retainer of \$10,000.00 and the hourly rate of \$240.00 have remained the same over several years. The combination of retainer and discounted hourly rate are advantageous as the firm does a considerable amount of work for the District.

A motion was made to approve the firm of Tierney, Zullo, Flaherty and Murphy as general legal counsel, based on the attached retainer agreement, by Commissioner Borges-Lopez and seconded by Commissioner Mary Mann.

Commissioner Sandra Stokes asked if the agreement is renewed annually, to which Mr. Yatcko replied that it is required to present the agreement to the Board of Commissioners on an annual basis.

The motion passed with only one abstention. Commissioner Martha Wooten-Dumas abstained. (16-09-20-2)

REGULAR AGENDA:

3. Proposal by SBA Towers to Install Cell Phone Tower / Town of Wilton

The presentation was made by Attorney Christopher B. Fisher, of Cuddy & Feder LLP, on behalf of SBA Towers, Inc. and Verizon. SBA Towers is an independent owner and operator of wireless communications infrastructure, and was contracted by Verizon to locate an area in which to build a new cell phone tower facility in the Wilton area. Cuddy & Feder identified the District's watershed property along Route 33 (Ridgefield Road) near the intersection of Nod Hill Road as a potential location. Mr. Fisher was not asking the Board to enter into an agreement at this time. The presentation was being made to gauge the Commissioners' interest and willingness into potentially entering into a future agreement with SBA over rights to use the proposed location.

Mr. Fisher explained that cell phone service in the area along Route 33 moving north out of Wilton town center towards Ridgefield is spotty, and that placing a tower in that area would service the public and commerce alike. His client, SBA Towers, is interested in ascertaining the feasibility of constructing a tower facility on the District's watershed property. Mr. Fisher presented information, as well as the benefits to the District, into entering an agreement; most notably an additional revenue stream with no operational expense or incremental tax exposure to the District. Mr. Fisher requested permission from the Board to work with District staff and attorneys in exploring the feasibility and/or the limitations of the property, without commitment to either party, before preparing a proposal/plan to be brought before the Board of Commissioners for approval/disapproval.

Chairperson Westmoreland presented his concerns over the project. One concern would be the possibility of the tower infringing upon land that might be needed for future expansion of the District's water plant were that deemed necessary.

Mr. Yatcko replied that he did not know whether or not the land would ever be needed in the future for an additional dam. He was aware, however, of a plan for expansion dating approximately 25 years ago that was never acted upon. He would need to review maps from that plan, currently stored in a sealed banker's box, to ascertain the proposed location of the dam.

Chairperson Westmoreland also expressed his concern that the Town of Wilton would use the presence of the tower in valuing the property to levy additional taxes upon the District. Due to the District's ongoing tax litigation with the Town of Wilton, he expressed little confidence in any assurances Wilton officials might give to assess fair property valuations.

Mr. Fisher's responded that any potential limitations of the property would need to be determined and could be designed around. Additionally, he indicated that SBA would incur any incremental tax levies associated with the facility.

Chairperson Westmoreland expressed his concern that the Town of Wilton would assess additional property tax on the whole site, not just the parcel the tower would sit on. Mr. Fisher replied that any additional exposure could possibly be addressed by the lawyers and included in the agreement.

Attorney Frank Murphy inquired about the necessary regulatory – Siting Council, DPH, DEEP - and Town of Wilton approvals. Mr. Fisher responded that approval from only two regulatory bodies would be required - the Siting Council and the DPH. One application would be submitted by both parties - SBA and the District – and SBA would pick up all the costs of processing the application. Mr. Fisher further responded that SBA would aim to avoid involving any wetlands, and from a permitting point of view the Siting Council would have exclusive jurisdiction over any wetlands impacts, and thus, DEEP or local wetlands permits would not be required for the project. Additionally, neither Town of Wilton agencies nor the Planning and Zoning Department would have any jurisdiction.

Attorney Murphy agreed with Chairperson Westmoreland that the ongoing litigation with the Town of Wilton is a significant barrier to moving forward with the discovery process were the Board interested in pursuing the project. The details contained in the District's lawsuit (i.e. the entire parcel of 242 acres is presented as part of the District's water supply plan) would be inaccurate and inconsistent. The lawsuit is on appeal to the appellate court. Additionally, reevaluation of the property is scheduled for October 2017. The differences between the District's valuation and the Town's are significant. The Town claims the property is worth \$30,000/acre whereas the court has ruled it worth \$8,000/acre.

Commissioner Stokes asked about the different kinds of towers and Mr. Fisher provided descriptions. She also asked why SBA is proposing the monopole type. Mr. Fisher responded that it is basically a matter of visual and environmental impact. The monopole type has a slimmer profile and footprint than the others, and is typical of what the Siting Council would approve.

Chairperson Westmoreland stated that he is not comfortable giving permission to move forward given the ongoing tax litigation. The Town of Wilton is appealing the court decision that the District be credited \$250,000 per year for the next five years. Additionally he would like to hear what Mr. Yatchko discovers from reviewing the previous reservoir expansion plans. However, he also feels duty to the community as property owner and employer in Wilton, and feels proper due diligence should be made.

The Board of Commissioners was not ready at this time to grant permission to move forward, and would like to postpone the decision for another month or so.

Mr. Fisher was fine with that, thanked the Board for its time and stated they could use him as a resource for any questions they may have in arriving at a decision.

No actions taken. Postponed decision to move forward.

(Attorneys Frank Murphy and Kara Murphy left at 7:40 p.m.)

4. State of Health Insurance Marketplace Review

Mike Sutton presented the outlook of the 2017 marketplace for employee life and medical insurances.

Renewals of the Guardian and Mutual of Omaha life insurance plans have occurred with no rate increases. The rates have remained stable over the last few years.

Rate increases for health care plans are ominous for small group and individual markets on and off the exchange. Fortunately, even though the Second Taxing District has under 50 active employees, the addition of the under age 65 retirees allows the District to be rated as an over 50 employee group. This is beneficial in regards to rate and plan structure. The District's current carrier, Oxford, has requested and been approved for one of the lowest rate increases over other carriers. They have received approval for a 2.6% rate increase spread out over all their plans. The range is a 15% decrease to a 12% increase, depending upon the particular plan. Mr. Sutton would like to go out to bid as soon as possible (now) in order to obtain as much ammunition as possible to negotiate the best possible rate with Oxford on the District's behalf. He needs an updated employee census in order to start the RFP process. He is hopeful that employees will not have to contribute to premiums for the 2017 health plan year.

Mr. Sutton doesn't have the Anthem Retiree Plan renewal numbers yet, but is confident these won't change much.

Mr. Sutton requested to be put on November agenda.

No actions taken.

(Mike Sutton left at 7:50 p.m.)

5. GASB 68 – Accounting & Financial Reporting for Pension Plans

Mr. Kevin Barber, Director of [South Norwalk Electric and Water] Finance and Services made the presentation. A new standard by the Government Accounting Standards Board (GASB) will affect, and require, the District to be more transparent with its employee pension plan provided through the State of Connecticut's Municipal Employee's Retirement System (MERS). South Norwalk Electric and Water's (SNEW's) accounting books will need to show its liability numbers to both the water and electric sides of the company. MERS is currently performing an audit in order to provide SNEW with its liability numbers. SNEW cannot include the numbers in its books until MERS has completed the audit. The numbers have not been received as of this date, and it is not known when they will be received.

Although not a requirement of the District's charter, tradition has it that the audited financials are presented at the annual elector's meeting each November, and constituents are accustomed to this. Chairperson Westmoreland suggested that, if necessary, the unaudited financials be presented at the November Elector's meeting, with an additional meeting to be held later to present the audited financials.

Mr. Barber raised the concern that auditors never like to have incomplete and unaudited financials formally presented to anyone, even with a disclaimer. Chairperson Westmoreland asked if, as an alternative, an abbreviated set of financials could be presented at the November meeting. Mr. Yatcko responded that this data is already available for the fiscal year ending June 30, 2016, in a format similar to what is presented to the Commissioners on a quarterly basis. Mr. Barber added that the format would be simplified, i.e. would not be as detailed as that used for an audited financial presentation. Chairperson Westmoreland suggested that most constituents would probably be grateful for the simplified format, and that any constituents interested in a full set of audited financials would be given the opportunity to review them at a later date. The other 6 Commissioners agreed.

Chairperson Westmoreland asked if, once the audited liabilities are shown on the books, the District will consequently be required to provide additional contributions into a trust like account (like the OPEB Trust account) to make up for a portion of the unfunded liability pot. Mr. Yatcko replied that this is unknown at this time. Mr. Barber added that the District's contribution to MERS already varies year to year,

and SNEW is told what it needs to contribute per employee [salary] dollar. Fulfilling the new GASB requirement will ensure SNEW shows this liability on its books.

Chairperson Westmoreland asked if the District should consider having future new employees enrolled into a 401(k) plan rather than into the MERS plan which has the unfunded liability associated with it. Mr. Yatcko replied that the District may wish to consider that option. It may also wish to look at its overall comprehensive benefits package, especially its insurance policy.

The District will have to balance its desire to manage benefits costs versus maintaining employee morale. Keeping the medical plan the same and having new employees enrolled into a 401(k) is an attractive alternative because current employees would not be affected. The question of maintaining the current level of medical insurance benefit has been an issue for some time. While Chairperson Westmoreland would like to consider options to reduce costs to the District, he does not advocate making a decision affecting employees' paychecks so close to the start of a new benefit year, nor without having the opportunity to review additional data regarding what others in the industry offer.

Mr. Yatcko committed to performing benchmarking on utility pension and medical plans, as well as reaching out to AXA regarding the creation of a two tier retirement system.

Vice Chairperson Maria Borges-Lopez asked if the Second Taxing District could implement a new [and separate] medical benefits package for employees hired after January 1, 2017. Mr. Yatcko responded that Mike Sutton would have to be consulted on the idea, and that he was unsure as to the implications such a division might have upon SNEW's classification as an over 50 [employees] employer.

Chairperson Westmoreland suggested, but did not advocate, the idea of potentially providing different medical plans depending upon the employee's job and level of risk – in essence creating classifications for medical plan purposes. Chairperson Westmoreland said after the discussion that it was probably an unformed question on his part and that he is not advocating for that at all; just for the record. Mr. Yatcko responded that he had never seen this done in a small, non-union, work force environment. Other Commissioners dismissed the idea of classifications.

No actions taken.

6. Organization Update

Addressing organization issues began last summer Paul Yatcko had the opportunity to make observations over the first few months of his tenure. The areas of concern were organization performance issues such as safety, lack of performance metrics, culture of reactive rather than proactive organizational response, very little process focus, little employee empowerment and there were structure and staffing issues,

including having customer service buried three levels down in the organization, no separate product identity for electric and water, lack of electric expertise in the management team and some positions were misspecified. With Board approval, a new structure was created, which added some new positions, eliminated some other positions and retitled a few as well.

The implementation plan was approved by the Board in October of 2015 and eight positions were posted internally (these were not put out on the open market) – the four new Director positions (Finance & Services, Customer Care, Water Operations, and Electric Operations), the Customer Service Supervisor, the Collections Specialist, the Financial Analyst, and the Safety and Security Specialist. All employees were invited to self-nominate for as many positions as they chose to do so. As a result, 6 of the 8 positions were filled internally and two were not. Filling of the Safety and Security Specialist was deferred and that of the Financial Analyst was postponed until the incumbent officially and voluntarily retired. The latter position was recently filled by an external candidate after the incumbent died unexpectedly. Mr. Yatcko also specified that over the last 18 months several positions have experienced turnover. Twelve individuals have left the organization – four of which were normal retirements, five were resignations, two were terminations and one employee passed away (Financial Analyst position mentioned above).

Mr. Yatcko informed the Board that he is currently scheduling interviews for the Director of Electric Operations, which was one of the resignations and will be posting the Safety and Security Specialist soon.

Mr. Yatcko presented an overview of changes that have or are in the process of being implemented, including the institution of regular financial reporting, the creation of a performance metrics dashboard, the creation of process and performance improvement opportunities and a pilot program of employee involvement (providing employee training in order for employees to succeed in this endeavor) and the development of a management performance system.

Commissioner Sandra Stokes thanked Mr. Yatcko for his oral presentation of the organizational and staffing changes, but she expected a more detailed, written presentation. Specifically, Commissioner Stokes is looking for information that will allow her to investigate the validity of emails brought forth to the Board from current employees. She had expected Mr. Yatcko to discuss these issues.

Chairperson Westmoreland stated that negative feedback had been expected as a result of the reorganization and that he had expected to hear employee complaints sooner. Because the reorganization occurred prior to Commissioner Stokes having joined and she is not fully aware of the changes, Chairperson Westmoreland requested that the minutes from the reorganization presentations of last year be made available to the Board for their review in concurrence with their review of the issues outlined by employees. Mr. Yatcko stated that these meetings occurred in executive sessions and were not recorded. He did, however, offer to meet with Commissioner Stokes at her convenience to provide, explain and walk through the

reorganization documents to her satisfaction. Chairperson Westmoreland stated that the reorg was necessary and long overdue and told Commissioner Stokes that when she saw it, she would probably agree with it.

Vice Chairperson Maria Borges-Lopez brought up her dissatisfaction and concern that protocol was not followed in regards to the manner in which the Board received the employee complaints. She was not pleased that employees brought the issues directly to the Commissioners, rather than moving up through the chain of command. She stated that there is a process that was in place when John was here and it needs to be followed: the employees never went to any of the Commissioners with any complaints. There is a way of doing it, basically first they go through their immediate supervisor and next they need to go through the Director and then the General Manager and then if the issue is still not resolved then it is put in writing and presented collectively to the Board for discussion and review. The Commissioners will then make recommendations to the General Manager in executive session. Vice Chairperson Borges-Lopez is concerned that human resource issues going directly to the Commissioners opens up the agency to liability.

Commissioner Stokes agreed and had assumed they had gone through a process. Mr. Yatcko stated that they had not; they had gone directly to the Board.

Chairperson Westmoreland stated that any one or more Commissioners entertaining or engaging in responding to such complaints would have to recuse themselves from the resolution process, thus limiting their ability to take action.

Commissioner Stokes asked what the process was and are there steps that need to be taken before it is before the Board?

Commissioner Mann stated that in the past the employees actually have come to Commissioners and the decision that have been jointly made was they must go through the process. The Commission decided at that time to not even entertain it and sent them back. Commissioner Mann said that once that decision was made the Board did not have any more problems.

Paul Yatcko explained that some turmoil has been created because of the restructuring and changes within the organization. He felt that employees are not accustomed to change and he believes some employees are uncomfortable.

Vice Chairperson Borges-Lopes reiterated that she still believes that any complaints need to follow the chain of command.

Commissioner Wooten-Dumas state that she feels they should put it in black and white because whether it is this company or another company even though there are protocols, some people feel retaliation. She believes the best thing would be to put it in writing, submit it to the Director and submit it down the line and cc who you need to cc, but put it in black and white because people do get retaliated on. They might feel with the change and how it went specifically especially if someone

felt they could do a job that was perhaps not posted or whatever, then they felt things are not being done in the fashion it should be done or used to be done.

Vice Chairperson Borges-Lopez stated that even written complaints need to follow the proper channels. If it comes to the point where there appears that there might be retaliation that is when the Commissioners should come and meet, even bringing in a labor law attorney here to defend the institution. It is not up to the Commissioners to listen to it just because they are saying it is a retaliation. Commissioner Borges-Lopez has been working in HR for many, many years and this is her line of expertise. Commissioner Borges-Lopez is very concerned when she sees HR issues going outside of the area of where it is supposed to be addressed.

Commissioner Stokes agreed 100%. She explained that is why she was asking what are we to do? Again she was assuming that they had gone through a process until Commissioner Westmoreland explained it. This was an email that went out to all Commissioners. She is concerned that since they had not answered would employees start sending her letters now. She believed they had reached out to the Commission as a last resort.

Chairperson Westmoreland wanted to know if it would be a good idea to resend out the policy in the Employee Handbook that has the protocol and the steps. Mr. Yatcko committed to issuing a communication re-enforcing the policy. Commissioner Westmoreland stated that if someone emailed him as Chairman he is going to respond. He is going to acknowledge that he received the email, he may comment, which is what he did then I am going to point them back to their supervisor.

Mr. Yatcko appreciated that and said that he felt they should have first talked to their Director and then talked to him and they had not given him a chance to address the concerns.

Chairperson Westmoreland agreed and wanted to cut them some slack because he knows they have gone through a tremendous amount of change in the last year. If the process is broken, the Commission will look at the process and will fix it.

Commissioner Bonnet stated that these issues could be resolved by conducting an external audit of the new organization, which he feels should be conducted after a one year period, it should solve the problem.

Mr. Yatcko asked that the Commission give him more than a year particularly since there has been considerable turnover and there has not been a lot of stability in the management team. He also expressed his concern that these types of audits are expensive and not in the budget at this time. He believes that a good management auditing firm hired to do a good comprehensive job is expensive.

Chairperson Westmoreland asked if it would be a good idea to have CMEEC colleagues perform the audit instead of a private organization. Mr. Yatcko agreed that this could be a good solution and he could approach the CMEEC CEO with the request, but at a later time.

Vice Chairperson Borges-Lopez wanted to know the purpose or end result of conducting this audit?

Chairperson Westmoreland responded that the audit would evaluate the effectiveness of the new organization and potentially make recommendations to management to make it more effective.

Commissioner Geake told the Commissioners that when she got the email she called and talked to the GM. She did not go through anymore emails. She found out what was going on and sent the email to the Chairperson. She suggested that the Commissioners call the Chairperson next time so there is no confusion.

Chairperson Westmoreland stated that he now believes they all know the process that needs to be followed.

Vice Chairperson Borges-Lopez suggested before going out and getting an audit, there are things that can be done within the company. When you have a new manager there is that uncertainty from employees and there is a process called “new manager assimilation” process. The program would allow employees to express their expectations and concerns. She said that there are all kinds of formats of questions that can be put together and you get a group of employees from one department and bring them in spend time with them and they can individually or in a group will give you all of their concerns and questions with no names attached (confidential) and then that person chosen to conduct the meeting bridges the gap between the new manager and the employees. If there are things that they have to work on then they make it as a goal of 30-days, 60-days whatever it may be. It brings people together, they open up; they talk about their concerns within their department without feeling like they are being targeted. It is an open discussion, it’s very informal and it works great, especially when you have a new manager.

Mr. Yatcko asked that Vice Chairperson Borges-Lopez provide him with additional materials and details regarding the process. Vice Chairperson Borges-Lopez spoke of how it put everyone at ease and it helps employees understand where the new manager comes from, how he works, whether he micro manages or not and what are the manager’s expectations as well. It closes that gap.

No action taken.

7. Policy on Organizational Vacancies

The question was whether SNEW should adopt a formal policy of internally posting all job vacancies at the same time they are advertised externally.

Paul Yatcko stated that this was strictly up to the Commission. There was no policy requiring it in the past and he was not aware that it was the practice of the previous GM. In the absence of a policy requiring it, in this particular instance he did not do it and it caused the upset. A lot of the upset was caused because people did not follow an established process and didn't come to their Director or the General Manager. Perhaps the best thing to help resolve this would be to issue a policy. At the end of the day, he feels that jobs should be based on whether or not people meet the qualifications that are required for that position, so if it makes employees happier for us to assure that they get appropriate consideration by instituting a policy, he has no objection to that.

Vice Chairperson Borges-Lopez believes that this is more of a procedure, she doesn't believe it is a policy. She mentioned that previously Paul Yatcko stated that he did post some of the jobs internally. Paul Yatcko confirmed that the first 8 positions that were filled after the reorganization, were exclusively done internally before turning to the outside.

Commissioner Stokes stated that the two positions that the complaints were about were because those positions were not posted internally. Commissioner Stokes believes something should be in place, whether it is a policy, practice or procedure. At the very least she believes all employees should have an opportunity. Without a policy/procedure guideline what happens is what we are dealing with now. How do you make the decision on what to post internally or externally? How do you make that decision, the 8 position posted internally versus the 2 that were not?

Paul Yatcko's response was that you make a decision on a case-by-case basis. In this particular instance as he indicated before, the Customer Service Supervisor position was posted as part of the internal process during the reorganization. He made a judgement based on the lack of broad interest and the fact that there wasn't a lot of interest in the position within the organization and we didn't have any internal candidates that had the skills and competencies, so he took the position outside. Obviously some employees were upset with that decision, but it was a judgement call.

Commissioner Martha Wooten-Dumas asked whether the two positions involved in the grievances were posted externally because she never saw a job post for those position.

Mr. Yatcko was not sure what the second position was. He stated he knew about the Customer Service Supervisor position and that one was not posted because he had conducted an interviewing process for Customer Service Representative and a

qualified candidate for the Customer Service Supervisor emerged as a result of the interviewing and qualification process, so it was not advertised again.

Chairperson Westmoreland stated that the second position in question is the fact that they upgraded the District Clerk's position and didn't require her to be re-interviewed and opened up to everybody. Chairperson Westmoreland confirmed that when upgrading a position, you don't necessarily post a new job, you are changing the grade of that position because you either recognized the responsibility it has or you added to existing responsibilities. Paul Yatcko said that in that particular case he added to the portfolio of her responsibilities, so he upgraded the job. Commissioner Westmoreland believed that in this case it was a misinterpretation of what should be posted and what shouldn't and Commissioner Westmoreland agreed that the position should not have to be posted as it was a management decision.

Commissioner Harold Bonnet stated that it is a good thing that SNEW posts jobs inside the company and looks to promote from within, but SNEW should encourage more education, college degrees and leadership experience of its employees.

Commissioner Mary Mann expressed that her belief is that all jobs should be posted both internally and externally, all at the same time. She feels it to be a fair practice from a Human Resources perspective that employees know what jobs are available. As far as the situation with upgrading a job, she stated that she believes that is a management decision and she has no issues with that. If an employee is performing exceptionally well and management feels like adding more responsibilities she did not feel that is something employees have to get involved in. But she restated that she is a proponent of internal and external posting.

Vice Chairperson Borges-Lopez had no issues with posting all jobs internally going forward, but she did not feel it was necessary to make it a policy. She felt that the General Manager understood the sentiment of all the Commissioners and going forward jobs will be posted.

Paul Yatcko stated that he was happy to do that with or without a policy statement.

Commissioner Wooten-Dumas was wondering if there was an interviewing team that is set up in SNEW or does the General Manager do the interviews and maybe there should be a Commissioner on that team?

Mr. Yatcko stated that he did not feel that the Commissioners would want to be in that position. All of the jobs that had been filled since the reorganization has consisted of a two-person team that has interviewed and Mr. Yatcko was not on all of them. When the General Manager's direct reports hire somebody; that is their decision based on their interviewing and review of credentials. Mr. Yatcko did clarify that he does review their recommendations with them because it is his job to insure process integrity, but generally he is not involved in those interviews.

Commissioner Bonnet asked if the General Manager always performed the last interview with candidates and Paul Yatcko said that he did not, especially on lower-level jobs.

Commissioner Mann expressed that she did not think that a job was posted for a Customer Service Representative and then we turned around and gave that person a supervisory job. That process seems sticky to her and she did not like it. She also stated that as a Commissioner she has no interest in getting involved in human resource issues as she is not into micro-managing our management, but that process, she did not like.

Commissioner Stokes explained that she now had a better understanding of the process. The only other concern that she had was that the Customer Service Supervisor position, was that the person who was in that position retired and then the position was offered to someone externally.

Paul Yatcko told her that was true.

Commissioner Stokes continued that it was without it being posted internally. She reiterated that was an issue for her. She believes that if there ever was a situation she would have to recuse herself because she knows a lot about the situation. She is happy that this item is on the agenda tonight, because something has to be done about it because there is a lot of miscommunication that is going on, a lot of things she does not understand. She would like to make a motion to do an audit, she doesn't care who does it, but she would like to see a neutral party looking at the organization at this point, especially because there is someone new and especially she wants to address concerns of transparency and fairness for employees. She intentionally did not contact Paul Yatcko because the issues were about him and she didn't want to put Paul Yatcko in a position as to where he is retaliating against another employee. She felt the issues were brought to the Board and the Chairman would handle it and she had thought it had escalated.

Chairperson Westmoreland stated that Mr. Yatcko will be coming back to the Board next month to report on any recommendations regarding an audit of the reorganization and that Vice Chairperson Borges-Lopez will be sending Mr. Yatcko information regarding the new manager assimilation process. Additionally, Mr. Yatcko will be providing Commissioner Stokes with the background information regarding the reorganization, where it came from and where it is moving to and why.

Commissioner Westmoreland stated that the only issue that he believes was concrete enough to act upon is to whether or not someone wants to bring forward a motion to establish a policy making sure that jobs are posted internally and externally.

Chairperson Westmoreland called for a motion that the District establish a policy for South Norwalk Electric and Water that all vacant positions be posted both internally and externally going forward.

Commissioner Stokes moved the motion. Commissioner Wooten-Dumas seconded. Vice Chairperson Borges-Lopez and Commissioner Geake opposed.

The motion passed.

(16-9-20-7)

Mr. Yatcko committed to writing the policy for the Board to review and modify the policy if necessary during the next meeting.

Chairperson Westmoreland added that Mr. Yatcko can decide on when he wanted to issue communications regarding grievances and the proper protocol. He added that this was not retribution for anything that has happened, this is just the process and if they want to have the ability to have a fair hearing, they can't really engage the Commission without going through the process.

Commissioner Mann stated that she believes employees will see by the Board's actions of 1) calling for a new policy, and 2) communicating the correct protocol for grievances, that the Board has heard them and has addressed their concerns.

Commissioner Borges-Lopez added that the posting of a job internally does not necessarily mean they are going to be hired. It's a procedure and they have spent a lot of time discussing this and the Board hired a very good General Manager to replace the past General Manager and she would like to trust his judgement and what he does.

Commissioner Westmoreland thanked the Board for their really good discussion on such a wide variety of topics tonight and thanked them again for their participation and all of their comments.

Adjournment

Chairperson Westmoreland called for a motion to adjourn. Vice Chairperson Borges-Lopez moved and Commissioner Geake seconded. The motion passed.

The meeting adjourned at 8:49 p.m.

Attest:

Lisa G. Roland
District Clerk