

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
SPECIAL MEETING
The Metropolitan District
555 Main Street, Hartford
Monday, March 6, 2017**

Present: Commissioners Daniel Camilliere, Donald Currey, Byron Lester, Maureen Magnan, Alphonse Marotta, Domenic Pane, J Lawrence Price, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor and District Chairman William A. DiBella (11)

Absent: Commissioners Kathleen J. Kowalyszyn and Bhupen Patel (2)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Kelly Shane, Director of Procurement
Robert Zaik, Director of Human Resources
Christopher Levesque, Assistant Manager of Water Treatment
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

Chairman Taylor called the meeting to order at 5:06 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MEETING MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of December 5, 2016 and February 6, 2017 were approved.

Commissioners Lester and Magnan abstained.

PETITION FOR DISABILITY PENSION**EXECUTIVE SESSION**

At 5:10 P.M., Chairman Taylor requested an executive session to discuss an employee petition for a disability pension.

On motion made by Commissioner Sweezy and duly seconded, the District Board entered into executive session to discuss the petition for disability pension.

Those in attendance during the executive session:

Commissioners Daniel Camilliere, Donald Currey, Byron Lester, Maureen Magnan, Alphonse Marotta, Domenic Pane, J Lawrence Price, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor and District Chairman William A. DiBella; Chief Executive Officer Scott W. Jellison, Deputy Chief Executive Officer of Business Services John M. Zinzarella, Robert Zaik, Marcy Wright-Bolling, Attorneys Christopher Stone, Steven Bonafonte.

RECONVENE

At 5:15 P.M., Chairman Taylor requested to come out of executive session and on motion made by Commissioner Hoffman and duly seconded, the Personnel, Pension & Insurance Committee came out of executive session and reconvened. No formal action was taken.

To: Personnel, Pension and Insurance Committee for consideration on March 1, 2017

Pursuant to Section G 1 b. of the General Ordinances, we are recommending that the Personnel, Pension and Insurance Committee approve a Disability Retirement effective April 1, 2017, for Mr. Raymond Hauff. We have received the employee's written petition for consideration under the Disability Retirement provision. The employee's doctors have provided adequate medical information to support the condition that the employee is permanently disabled and cannot engage in any gainful occupation or employment. The medical condition was confirmed by the District's doctor.

A thorough review of this petition was conducted prior to advancing this recommendation for action.

Therefore, staff is recommending that the employee's petition for disability retirement be approved by this Committee.

It is therefore **RECOMMENDED** that it be:

VOTED: That the Personnel Pension and Insurance Committee recommend to the District Board passage of the following resolution:

RESOLVED: That effective April 1, 2017, Mr. Raymond Hauff shall be approved for a Disability Retirement pursuant to the terms and conditions of the General Ordinances of the Metropolitan District Commission.

Respectfully Submitted,

Scott W. Jellison
Chief Executive Officer

On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution adopted unanimously.

AMENDMENT TO DISTRICT PENSION PLAN RE: SZESTAKOW CLAIM SETTLEMENT

WHEREAS, The Metropolitan District (the "MDC") is the sponsor of the Retirement Plan for Employees of The Metropolitan District (the "Retirement Plan"); and

WHEREAS, the District Board of the MDC has the authority to adopt amendments to the Retirement Plan upon the recommendation of the Personnel, Pension and Insurance Committee of the MDC (the "PPI Committee"); and

WHEREAS, it is desirable that the PPI Committee recommend to the District Board of the MDC that it adopt an amendment to the Retirement Plan which provides that, pursuant to the MDC's settlement agreement with Donna Szestakow, her benefit under the Retirement Plan shall be determined after imputing six (6) additional years of credited service for her so that she has a total of twenty-five (25) years of credited service, after stipulating her final average earnings as \$100,000, after requiring that she repay to the Plan the amount of her prior lump sum withdrawal from the Plan, increased by five percent interest (5%), compounded annually from the date of the withdrawal, and after requiring that she contribute to the Plan five percent (5%) of the amount of certain imputed compensation for the six (6) year period that begins in 2012.

NOW, THEREFORE, BE IT

RESOLVED: That the PPI Committee does hereby recommend to the District Board that it adopt Amendment No. 9 to the Retirement Plan in substantially the form presented to this meeting, together with any modifications that are determined by counsel for the MDC to be necessary or desirable to effectuate the intention thereof and to comply with the requirements of the Internal Revenue Code of 1986, as amended; and further

RESOLVED: That the PPI Committee does hereby recommend to the District Board that the chief executive officer of the MDC or any other officer designated by the chief executive officer be authorized and empowered, for and on behalf of the MDC, to take any and all actions which may be necessary or desirable to effectuate the intention of the foregoing resolution.

Respectfully Submitted,

Scott W. Jellison
Chief Executive Officer

**AMENDMENT NO. 9 TO
THE RETIREMENT PLAN FOR EMPLOYEES OF
THE METROPOLITAN DISTRICT**

The Metropolitan District, a governmental entity organized under the laws of the State of Connecticut (the "Employer"), has adopted this Amendment No. 9 to the Retirement Plan for Employees of The Metropolitan District (the "Plan"), effective March 6, 2017.

1. Article II of the Plan shall be amended by deleting Section 2.16 thereof and substituting therefor the following new Section 2.16:

"2.16 *'Final Average Earnings'* means the greater of: (a) twelve times the average of a Participant's monthly Compensation during the thirty-six (36) consecutive months preceding the Participant's severance from employment; or (b) the average of the Participant's Compensation for the three calendar years (whether or not consecutive) during the ten calendar years preceding the calendar year of the Participant's severance from employment which produce the highest such average.

For the period on and after April 1, 1989 and prior to July 1, 1997, Final Average Earnings meant the greater of: (a) twelve times the average of a Participant's monthly Compensation during the forty-eight (48) consecutive months preceding the Participant's severance from employment; or (b) the average of the Participant's Compensation for the four calendar years (whether or not consecutive) during the ten calendar years preceding the calendar year of the Participant's severance from employment which produced the highest such average.

For the period prior to April 1, 1989, Final Average Earnings meant the greater of: (a) twelve times the average of a Participant's monthly Compensation during the sixty (60) consecutive months preceding the Participant's severance from employment; or (b) the average of the Participant's Compensation for the five calendar years (whether or not consecutive) during the ten calendar years preceding the calendar year of the Participant's severance from employment which produced the highest such average.

Anything herein to the contrary notwithstanding, the Final Average Earnings of Donna Szeszakow shall be \$100,000.”

2. Article II of the Plan shall be further amended by deleting Section 2.34 thereof and substituting therefor the following new Section 2.34:

“2.34 ‘*Years of Credited Service*’ means the period beginning on a Participant’s Date of Employment or Reemployment and ending on the commencement date of a Break in Service; *provided, however*, that Years of Credited Service shall not include any period during which the Participant does not make Participant Contributions to the Plan. Years of Credited Service shall be computed on the basis of whole Years of Credited Service and completed calendar months.

All of a Participant’s Years of Credited Service shall be aggregated in determining the amount of the Participant’s Accrued Benefit, whether or not the Years of Credited Service are consecutive; *provided, however*, if a Participant receives a lump sum distribution pursuant to Section 9.3, is reemployed by the Employer, and does not recontribute the lump sum distribution to the Plan following his or her Date of Reemployment pursuant to Section 9.4, then the Participant’s Years of Credited Service earned prior to his or her Date of Reemployment shall not be aggregated with his or her Years of Credited Service earned on or subsequent to his or her Date of Reemployment.

Anything herein to the contrary notwithstanding, in the case of Donna Szeszakow, six (6) Years of Credited Service shall be added to the number of Years of Credited Service determined pursuant to the provisions set forth above in this Section 2.34 so that she shall be credited with a total of twenty-five (25) Years of Credited Service for all purposes under the Plan, including the provisions of Sections 2.21 and 5.2.”

3. Article IV of the Plan shall be amended by deleting subsection (a) of Section 4.1 thereof and substituting therefor the following new subsection (a):

“Section 4.1 (a) Each Participant shall contribute to the Plan, by means of payroll deduction, an amount equal to the following:

(i) For each Participant who is hired or rehired on or after October 4, 2015, seven percent (7%) of his or her Compensation; and

(ii) For each Participant who was hired prior to October 4, 2015, five percent (5%) of his or her Compensation.

In the event that a Participant’s Compensation is increased, his or her contribution to the Plan shall be increased in a corresponding manner at the same time.

For the period prior to April 1, 1989, each Participant was required to contribute to the Plan, by means of payroll deduction, an amount equal to three percent (3%) of his or her Compensation. For the period on and after April 1, 1989 and prior to October 4,

2015, each Participant was required to contribute to the Plan, by means of payroll deduction, an amount equal to five percent (5%) of his or her Compensation.

Anything herein to the contrary notwithstanding, Donna Szeszakow, in addition to making any contributions required pursuant to the provisions set forth above in this subsection (a) for years prior to 2012, shall contribute to the Plan five percent (5%) of the following amounts that, for purposes of this subsection (a), shall be considered her Compensation for the years set forth below:

2012:	\$ 91,455.76
2013:	\$ 94,199.41
2014:	\$ 97,025.42
2015:	\$ 99,451.05
2016:	\$101,937.33
2017:	\$101,937.33.

Donna Szeszakow's contribution pursuant to the preceding sentence shall be made by payroll deduction from the amount payable to her under her settlement agreement with the Employer that is reportable on Form W-2."

4. Article IX of the Plan shall be amended by adding the subsection (c) to Section 9.4 thereof:

"(c) Anything herein to the contrary notwithstanding, Donna Szeszakow, pursuant to her settlement agreement with the Employer, shall repay to the Plan the amount of her prior lump sum distribution, increased by five percent (5%) interest compounded annually from the date of that prior lump sum distribution, and this repayment shall be deducted by the Employer from the amount payable to her under such settlement agreement with the Employer that is reportable on Form W-2."

Witness:

THE METROPOLITAN DISTRICT

By _____

Name:

Title:

Date:

On motion made by Commissioner Currey and duly seconded, the report was received and resolution adopted unanimously.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 5:26 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date Approved