

**THE METROPOLITAN DISTRICT BOARD  
BOARD ROOM, DISTRICT HEADQUARTERS  
555 MAIN STREET, HARTFORD  
MONDAY, MARCH 4, 2019, 5:30 PM**

<b>ITEM NO.</b>	<b>TITLE</b>
1.	<b>MEETING CALLED TO ORDER:</b>
2.	<b>ROLL CALL</b>
3.	<b>PLEDGE OF ALLEGIANCE</b>
4.	<b>APPROVAL OF MINUTES - MEETING OF FEBRUARY 21, 2019</b>
5.	<b>PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS</b>
6.	<b>REPORT FROM DISTRICT CHAIRMAN</b>
7.	<b>REPORT FROM CHIEF EXECUTIVE OFFICER</b>
8.	<b>REPORT FROM DISTRICT COUNSEL</b>
9.	<b>COMMITTEE ON ORGANIZATION - CONSIDERATION OF AND POSSIBLE ACTION RE: APPOINTMENT OF INTERIM CHIEF FINANCIAL OFFICER</b>
10.	<b>AUDIT COMMITTEE - CONSIDERATION OF AND POSSIBLE ACTION RE: WHISTLEBLOWER POLICY</b>
11.	<b>WATER BUREAU - CONSIDERATION OF AND POSSIBLE ACTION RE: DECOMMISSIONING COLEBROOK RIVER DAM HYDROELECTRIC FACILITY</b>
12.	<b>PERSONNEL, PENSION &amp; INSURANCE - CONSIDERATION OF AND POSSIBLE ACTION RE: AMENDMENT OF JOB SPECIFICATIONS</b>
13.	<b>OPPORTUNITY FOR GENERAL PUBLIC COMMENTS</b>
14.	<b>COMMISSIONER QUESTIONS &amp; COMMENTS</b>
15.	<b>OTHER BUSINESS</b>
16.	<b>ADJOURNMENT</b>

**COMMITTEE ON ORGANIZATION  
APPOINTMENT OF INTERIM CHIEF FINANCIAL OFFICER**

**To:** District Board March 4, 2019

**From:** Committee on Organization

At the special meeting of the Committee on Organization held on March 4, 2019, it was:

**Voted:** That the Committee on Organization recommends to the District Board, passage of the following resolution:

**Resolved:** That the District Board, in accordance with Section 2-8 of the District Charter, hereby designates Christopher P. Martin as the Interim Chief Financial Officer of The Metropolitan District effective March 5, 2019, to serve until a successor shall have been named and qualified.

Respectfully submitted,

John S. Mirtle, Esq.  
District Clerk

**AUDIT COMMITTEE  
WHISTLEBLOWER POLICY**

To: District Board

March 4, 2019

From: Audit Committee

As part of the District's annual audit in recent years, the auditors recommended the implementation of a whistleblower policy/fraud tip line. The auditors' recommendation indicates that organizations with a reporting mechanism were more likely to detect fraud through tips than organizations without such policies. In response to the audit recommendations, District staff drafted the attached proposed Whistleblower Policy as modeled after the State of Connecticut's Whistleblower Program.

At a meeting of the Audit Committee held on March 4, 2019, it was:

VOTED: That the Audit Committee recommends to the District Board passage of the following resolution:

RESOLVED: That the District Board hereby approves the District Whistleblower Policy and authorizes staff to implement and administer said Policy.

Respectfully submitted,

John S. Mirtle, Esq.  
District Clerk



The Metropolitan District  
water supply · environmental services · geographic information

## Whistleblower Complaint Process

Any employee or contractor may file a whistleblower complaint with The Metropolitan District (MDC) Compliance Officer, Rita Kelley. Whistleblower complaints involve accusations alleging any matter involving corruption, unethical practices, violations of state or federal laws or regulations, mismanagement, gross waste of funds, violations of OSHA workplace safety, contract or bidding fraud, abuse of authority, or danger to public safety occurring in the MDC.

It is important for the complainant to provide sufficient specific information to enable the Compliance Officer to properly review and investigate the complaint. The complainant should identify specific witnesses, documents and other sources of information that can be examined to support the complainant's allegation.

The Compliance Officer accepts complaints that are submitted anonymously; however, if the complainant is unavailable to answer questions or confirm the alleged facts, the officer may be unable to proceed with an investigation.

### Filing a Complaint

You can file a complaint with the independent third party administrator In Touch by utilizing the online form available at [www.getintouch.com](http://www.getintouch.com) or by calling the toll free hotline 1-800 – XXX-XXXX. You may also file it directly with the District Compliance Officer by emailing [Whistleblower@themdc.com](mailto:Whistleblower@themdc.com) or calling 860-278-7850 ext. 3227.

All Whistleblower complaints should include:

- 1.) The name of the person/persons you are making the complaint about;
- 2.) As much information about the alleged corruption, unethical practices, violations of state or federal laws or regulations, mismanagement, gross waste of funds, violations of OSHA workplace safety, contract or bidding fraud, abuse of authority, or danger to public safety occurring in the MDC; and
- 3.) Whether you actually observed the violations. If you did not personally observe the violations you should provide the names of witnesses who did and information on how to contact them.

After the Compliance Officer reviews a complaint, a preliminary report will be created with recommendations for addressing the complaint. The report and recommendations will be forwarded to the MDC Legal Department for consultation and oversight on proceeding with the investigation including retaining independent experts to assist in, or conduct, the investigation. If the complaint relates to the Legal Department, the complaint will be forwarded to the Chief Executive Officer for further investigation.

## Criteria for Rejecting Complaints

The Compliance Officer does not automatically investigate every complaint received. Each complaint is carefully evaluated to determine whether it has merit to conduct further investigation or whether it cannot be further investigated due to incomplete or false information. The Compliance Officer may reject any complaint received if one or more of the following criteria have been met:

- a. There are other available remedies that the complainant can reasonably be expected to pursue;
- b. The complaint is better suited for investigation or enforcement by another agency;
- c. The complaint is trivial, frivolous, vexatious, or not made in good faith;
- d. The complaint is not timely or is too long delayed to justify further investigation;
- e. The complaint could be handled more appropriately as part of an ongoing or scheduled regular audit; or
- f. Any other criteria based upon the judgment of the Compliance Officer.

If it is determined that a complaint is more appropriately investigated by another agency including law enforcement, the complaint will be referred to such agency.

## Retaliation

The Metropolitan District will not tolerate retaliation against an individual who in good faith files a whistleblower complaint and such retaliation is prohibited by Conn. Gen. Stat. §31-51m(b). An employee who retaliates against an individual who reported a violation in good faith is subject to discipline up to and including termination of employment.



## Whistleblower Complaint Process Role of Compliance Officer

1. The Compliance Officer has been selected to be responsible for operation of a Whistleblower hotline, email and online portal. The Compliance Officer is an independent position already relied upon to receive, investigate and evaluate claims of discrimination, retaliation or harassment by District employees. The Compliance Officer has experience conducting investigations and it is expected the Whistleblower Complaint process will intersect with the District's existing discrimination, retaliation or harassment reporting procedures.
2. Perform outreach to ensure employees and contractors are aware of the Whistleblower reporting mechanisms.
3. Utilize a third party administrator to receive, process and maintain complaints. Record-keeping processes are essential to easily retrieve information, reinforce the credibility of the investigation processes and track the program's effectiveness. The record of each tip should include:
  - a. A unique identifying number;
  - b. The report date;
  - c. The source, if provided;
  - d. Whether anonymity is desired or waived;
  - e. Contact information, if provided;
  - f. Details of the allegation, including the suspect(s) involved;
  - g. Any additional information provided, such as the location of evidence or names/contact information of any witnesses to claim; and
  - h. Recommended action based on the initial assessment of the report.
4. Perform initial review of complaints received and draft preliminary report with recommendations for addressing the complaint.
5. After initial review of complaint, deliver preliminary report with recommendations to the District Legal Department to:
  - a. Decide whether the complaint merits investigation or if complaint is insufficient to proceed and should be closed.
  - b. If complaint warrants investigation, Compliance Officer, in coordination with the Legal Department, will oversee the investigation of the complaint allegations including potentially retaining independent experts to assist in, or conduct, the investigation.
  - c. If the complaint is of a sufficiently severe nature, it may warrant being forwarded directly to law enforcement authorities.
  - d. If the complaint involves District Counsel or an Assistant District Counsel, the Compliance Officer will report to the Chief Executive Officer and determine how to proceed with the investigation.

6. Monitor investigative process to ensure timeliness and effectiveness of the process as well as keep the Legal Department and CEO updated.
7. Prepare quarterly report to the Legal Department and CEO on all complaints received and investigated. Included in this report will be outcomes and any recommendations to address issues raised. A report will be provided to the Audit Committee of the District Board at least twice annually and when warranted due to the receipt of a complaint of a serious nature.

**WATER BUREAU  
DECOMMISSIONING COLEBROOK RIVER DAM  
HYDROELECTRIC FACILITY**

To: District Board

March 4, 2019

From: Water Bureau

By way of background, in 1949 the Connecticut General Assembly authorized the construction of the Goodwin Dam on the West Branch of the Farmington River. The dam was intended to store six and one-half (6.5) billion gallons of water to be used for water supply purposes, minimum flow requirements and satisfying the District's riparian obligations to downstream riparian owners. In 1960, the federal Flood Control Act authorized the construction of the Colebrook River Reservoir on the West Branch of the Farmington River for flood control and water supply purposes. The construction of the Colebrook River Dam, located approximately one mile upstream from the Goodwin Dam, resulted in the Goodwin reservoir's storage capacity being cut in half, reducing its capacity by three and one-half (3.5) billion gallons. As a result, the U.S. Army Corps of Engineers and the District entered into a cost sharing agreement ("Agreement") for the construction, maintenance and operation of the Colebrook River Dam and the District received ten (10) billion gallons of water storage behind the Colebrook River Dam. The District made the final required annual payment to the United States for capital costs of the dam in January 2019. In addition to the annual capital cost payments, the District pays the United States thirty-five percent of operation and maintenance costs of the dam.

In the 1980s, the District added hydroelectric facilities to the Colebrook River and Goodwin Dams and continues to operate those facilities. As the hydroelectric equipment ages, costly upgrades and repairs are anticipated in order to continue operating the facilities.

Presently, District staff is examining the practicality of its involvement in the Colebrook River Dam generally. In recent years, the District's proportionate share of the operation and maintenance costs associated with the Colebrook River Dam have increased exponentially, and it is likely that these costs will continue to escalate as Colebrook River Dam ages and needs more significant structural repairs. In addition, as experienced during the 2016 drought, it is apparent that, in drought conditions when the emergency water reserves might be required, there is not a sufficient supply of water, nor infrastructure installed, to service any emergency needs of the District. Furthermore, given the value of the electricity generated at the hydroelectric facility, the costs of continued operation of such facility may outweigh the benefits.



While this examination is proceeding, the issue of whether to continue with or decommission our hydroelectric power generation at Colebrook is the more immediate issue. This facility is not generating sufficient revenue to cover operational costs and offset, to any measurable degree, our costs to maintain and operate the Colebrook River Dam. In addition, any decommissioning of the facilities will take some time and require FERC approval, and in order to avoid additional costs going forward, action by the Water Bureau and District Board directing staff to pursue this limited course of action is timely, while continuing to explore removing the District from the operation, maintenance, repair and water release obligations associated with the Colebrook River Dam generally.

It is therefore RECOMMENDED that it be:

VOTED: That the Water Bureau recommends to the District Board passage of the following resolution:

RESOLVED: That the hydroelectric facility located at the Colebrook Dam is approaching the end of its useful life and the upgrades required to extend the life of the facility are not economically prudent.

FURTHER RESOLVED: District staff is hereby authorized and directed to decommission the Colebrook hydroelectric facility, including removing all equipment and personal property from the Dam, and to continue discussions with the Army Corps of Engineers about the termination of the Agreement, by the terms of the Agreement or otherwise, to eliminate the District's annual operations and maintenance payments; provided, in doing so, the District does not relinquish or abandon its ownership of three and one-half (3.5) billion gallons of water that would have existed in Goodwin Reservoir but for the U.S. Army Corps of Engineers' construction of the Colebrook River Dam which reduced the Goodwin Reservoir's storage capacity from six and one-half (6.5) billion gallons to three (3) billion gallons.

Respectfully submitted,

John S. Mirtle, Esq.  
District Clerk

**PERSONNEL, PENSION AND INSURANCE COMMITTEE  
AMENDMENT TO JOB SPECIFICATIONS  
CHIEF OPERATING OFFICER AND CHIEF ADMINISTRATIVE OFFICER**

To: District Board

March 4, 2019

From: Personnel, Pension and Insurance Committee

As part of the District's re-alignment of existing functions, Staff is proposing to revise the *Chief Operating Officer* and *Chief Administrative Officer* job specifications and salary allocation. These positions have remained vacant for several years.

Staff is recommending that the Classification System be amended to include the revised *Chief Operating Officer* and *Chief Administrative Officer* job specifications with a EE26 salary allocation (Annual range of \$199,000 to \$265,000 with eight steps, formerly the EE26 salary allocation had five steps with an annual range of \$272,170.88 to \$305,415.84).

At a meeting of the Personnel, Pension and Insurance Committee held on March 4, 2019, it was:

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

RESOLVED: That the Classification System be amended to reflect the revised *Chief Operating Officer* and *Chief Administrative Officer* job specifications with the salary allocation of EE26 with eights steps and an annual range of \$199,000 to \$265,000.

Respectfully submitted,

John S. Mirtle, Esq.  
District Clerk

## METROPOLITAN DISTRICT COMMISSION CLASSIFICATION DESCRIPTION

**CLASSIFICATION TITLE: CHIEF ADMINISTRATIVE OFFICER**

---

### JOB SUMMARY

The purpose of this classification is to perform executive management work for assigned administrative departments including: procurement, customer service, ~~human resources~~, information technology, ~~and finance and treasury and budget~~, ~~environment, health and safety~~. Work involves developing strategic plans, goals and objectives; directing department operations and programs through subordinate managers and staff; evaluating effectiveness and implementing corrective changes; directing budget development and the use of resources; and advising the Chief Executive Officer, the Board of Commissioners (Board) and other District managers on issues pertaining to administrative departments.

### ESSENTIAL FUNCTIONS

**The following duties are normal for this position. The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.**

- Directs the staff, resources, operations and programs of assigned administrative departments, including: procurement, customer service, ~~human resources~~, information technology, ~~and finance, treasury and budget~~, ~~environment, health and safety~~; Directs the development of work plans, goals and objectives for administrative departments; directs and approves staff assignments; and allocates resources.
- Reviews and evaluates the performance of assigned departments; assesses departments' effectiveness and efficiency; identifies best business practices; modifies policies and procedures; assures safe work practices; assures compliance with regulatory requirements; identifies and directs corrective actions; and implements strategic, policy, and administrative changes to maximize use of resources, achieve goals and objectives and better serve the District and its customers.
- Coordinates District goals, objectives and activities as a chief officer of the District; advises the Chief Executive Officer and Chief Operating Officer on administrative issues and assists in developing long term strategic direction; coordinates plans and operations with administrative department directors, managers and executives of government agencies, municipalities, contractors and community organizations; attends Board meetings; presents agenda items; and advises the Board, Bureau and District committees on items relating to the administrative departments.
- Analyzes management issues and problems; prepares reports of findings and recommendations; and reviews reports and recommendations prepared by subordinate staff.
- Supervises subordinate managers and staff employees; conducts staff meetings; appoints candidates from approved eligibility lists; assigns work; establishes performance expectations; enforces safe work practices; conducts performance reviews; reviews and approves performance appraisals; counsels employees; administers union contract language, oral and written warnings and suspensions.
- Approves capital improvement program activities; and reviews project development.

## Metropolitan District Commission • Chief Administrative Officer

- ~~• Assists in the implementation of the District's Affirmative Action Plan and diversity efforts; directs the development and monitors the implementation of training programs; and evaluates employee grievances.~~
- Oversees information technology implementation; directs information technology programs; and ensures their support of District strategic plans and operations.
- ~~• Reviews and signs regulatory reports; monitors environment and safety compliance; and negotiates compliance issues with regulatory agencies.~~
- Conducts meetings with Town Managers; and directs the processing of public inquiries and complaints.
- Performs related work as required.

### SUPERVISION RECEIVED

Works under the general direction of the Chief Executive Officer.

### MINIMUM QUALIFICATIONS

Bachelor's degree in business, public administration or a related field, with Master's level course work in the field; Master's degree preferred; supplemented by a minimum ten (10) years of progressively responsible public management experience, four (4) of which must be supervisory and/or managerial experience; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this classification

### SPECIAL REQUIREMENTS

Must have a valid driver's license.

MBA preferred.

### PERFORMANCE APTITUDES

**Data Utilization:** Requires the ability to synthesize, hypothesize, and/or theorize concerning data and/or information involving modification of existing policies, strategies and/or methods to meet unique or unusual conditions. Requires the ability to do so within the context of existing organizational theories and management principles.

**Human Interaction:** Requires the ability to function in a director capacity for a major organizational unit requiring significant internal and external interaction.

**Equipment, Machinery, Tools, and Materials Utilization:** Requires the ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.

**Verbal Aptitude:** Requires the ability to utilize synthesis data and information, as well as reference, descriptive, design, advisory, and consulting data and information as applicable.

## **Metropolitan District Commission • Chief Administrative Officer**

**Mathematical Aptitude:** Requires the ability to perform addition, subtraction, multiplication and division; ability to calculate decimals and percentages; and may include ability to perform mathematical operations involving basic algebraic principles and formulas, and basic geometric principles and calculations.

**Functional Reasoning:** Requires the ability to apply principles of logical or synthesis functions. Ability to deal with several concrete and abstract variables, and to analyze major problems that require complex planning for interrelated activities that can span one (1) or several work units.

**Situational Reasoning:** Requires the ability to exercise the judgment, decisiveness and creativity required in situations involving the direction, control and planning of an entire program or set of programs.

### **ADA COMPLIANCE**

**Physical Ability:** Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods of time at a keyboard or work station.

**Sensory Requirements:** Some tasks require the ability to perceive and discriminate visual and/or auditory cues or signals. Some tasks require the ability to communicate orally.

**Environmental Factors:** Tasks are regularly performed without exposure to adverse environmental conditions.

*The Metropolitan District Commission is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Commission will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.*

Code:  
Employee Group: E&E  
FLSA Status: Exempt

## METROPOLITAN DISTRICT COMMISSION CLASSIFICATION DESCRIPTION

**CLASSIFICATION TITLE: CHIEF OPERATING OFFICER**

---

### JOB SUMMARY

The purpose of this classification is to manage the extensive resources in complex processing operations and maintenance. Work involves directing maintenance, operations, utility services, command center, engineering, water pollution control, ~~and~~ water treatment and supply, environment health and safety and patrol. Work involves developing strategic plans, goals and objectives; directing department operations and programs through subordinate managers and staff; evaluating effectiveness and implementing corrective changes; directing budget development and the use of resources; and advising the Chief Executive Officer, the Board of Commissioners (Board) and other District managers on issues pertaining to administrative departments.

### ESSENTIAL FUNCTIONS

**The following duties are normal for this position. The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.**

- Directs the planning goals, objectives and operations of maintenance, operations, utility services, water pollution control, ~~and~~ water treatment and supply, environment health and safety and patrol. Directs operating departments expenditures with fund allocations and approves fund transfers for Finance Department and Board of Finance consideration. Supervises subordinate managerial and staff employees.
- Analyzes information on assigned departments effectiveness and efficiency. Identifies best business practices and modifies operating policies and procedures. Recommends District administrative and governing policies. Advises Chief Executive Officer and Chief Administrative Officer on various operational issues.
- Analyzes management issues and problems and prepares recommendations and reports. Assures safe work practices and compliance with regulatory and government mandates.
- Directs the development of the operating and capital budget development of operating departments and presents budget requests to the Board of Finance. Directs assigned departments expenditures with fund allocations and approves fund transfers for Finance Department and Board of Finance consideration.
- Coordinates District goals, objectives, and activities as a chief officer of the District. Coordinates with assigned District departments and executives of government agencies, municipalities, contractors, and

community organizations. Represents the District in meetings, public events and media conferences. Directs the processing of public inquiries and complaints.

- Advises the Board, Bureau and committees on items relating to the operating departments.
- ~~Assists in the implementation of the District's Affirmative Action Plan. Directs the development and monitors the implementation of training programs~~
- Performs other related duties as required.

## **SUPERVISION RECEIVED**

Works under the general direction of the Chief Executive Officer.

## **MINIMUM QUALIFICATIONS**

Bachelor's degree in civil, mechanical, electrical or environmental engineering with Master's level course work in the field; Master's degree preferred; supplemented by a minimum ten (10) years' progressively responsible experience that includes utility plant or public works experience, including four (4) at the senior management level; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this classification.

## **ADDITIONAL REQUIREMENTS**

Must have a valid driver's license.

Must have a Connecticut Professional Engineer license or ability to obtain within sixty (60) days from date of appointment.

## **PERFORMANCE APTITUDES**

**Data Utilization:** Requires the ability to synthesize, hypothesize, and/or theorize concerning data and/or information involving modification of existing policies, strategies and/or methods to meet unique or unusual conditions. Requires the ability to do so within the context of existing organizational theories and management principles.

**Human Interaction:** Requires the ability to function in a director capacity for a major organizational unit requiring significant internal and external interaction.

**Equipment, Machinery, Tools, and Materials Utilization:** Requires the ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.

**Verbal Aptitude:** Requires the ability to utilize synthesis data and information, as well as reference, descriptive, design, advisory, and consulting data and information as applicable.

**Mathematical Aptitude:** Requires the ability to perform addition, subtraction, multiplication and division; ability to calculate decimals and percentages; and may include ability to perform mathematical operations involving basic algebraic principles and formulas, and basic geometric principles and calculations.

**Functional Reasoning:** Requires the ability to apply principles of logical or scientific thinking to implement both intellectual and practical relationships. Involves responsibility for consideration and analysis of complex organization problems of major functions.

**Situational Reasoning:** Requires the ability to exercise the judgment, decisiveness and creativity required in critical and/or unexpected situations involving moderate risk to the organization.

### **ADA COMPLIANCE**

**Physical Ability:** Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods of time at a keyboard or work station.

**Sensory Requirements:** Some tasks require the ability to perceive and discriminate visual and/or auditory cues or signals. Some tasks require the ability to communicate orally.

**Environmental Factors:** Requires the ability to work under conditions where exposure to environmental factors is not likely to present a risk of injury or illness.

*The Metropolitan District Commission is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Commission will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.*