

**THE METROPOLITAN DISTRICT COMMISSION
SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Wednesday, February 17, 2016

Present: Commissioners Andrew Adil, Daniel Camilliere, Donald M. Currey, Timothy Curtis, William A. DiBella, Matthew B. Galligan, Allen Hoffman, Jean Holloway, Joseph Klett, Kathleen J. Kowalyshyn, Joseph H. Kronen, Maureen Magnan, Mark A. Pappa, Hector Rivera, Pasquale J. Salemi, Raymond Sweezy and Richard W. Vicino (17)

Absent: Commissioners Luis Caban, Mary Anne Charron, Janice Flemming, William P. Horan, Sandra Johnson, Byron Lester, Alphonse Marotta, James S. Needham, J. Lawrence Price, Kennard Ray, Helene Shay, Michael Solomonides, Michael A. Toppi and Special Representative Michael Carrier (14)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Rob Constable, Director of Finance
Sue Negrelli, Director of Engineering
Stanley Pokora, Manager of Treasury
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:38 PM

ROLL CALL AND QUORUM

The District Clerk called the roll and informed Chairman DiBella that a quorum of the Commission was present, and the meeting was declared a legal meeting of the District Board of The Metropolitan District of Hartford County, Connecticut.

PLEDGE OF ALLEGIANCE

Those in attendance stood and recited the Pledge of Allegiance.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Kim Green, West Hartford resident, spoke against a proposed Niagara water bottling plant in Bloomfield, CT and asked the Board of Commissioners to table agenda item #8B, CEO Contract Renewal.

Sue Farrell, West Hartford resident, spoke against a proposed Niagara water bottling plant in Bloomfield, CT and asked the Board of Commissioners to table agenda item #8B, CEO Contract Renewal.

Mary Fay, West Hartford resident, expressed her support for, and agreement with Kim Green.

Dave Pauluk, West Hartford resident, spoke against a proposed Niagara water bottling plant in Bloomfield, CT and asked the Board of Commissioners to table agenda item #8B, CEO Contract Renewal.

APPROVAL OF MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of January 11, 2016 were approved.

REPORT FROM DISTRICT CHAIRMAN

William A. DiBella, District Chairman, announced that the Water Bureau will hold a meeting on February 24th at 5:00PM at the MDC Training Center, 125 Maxim Road in Hartford to address the public citizens' concerns and questions regarding a proposed Niagara water bottling plant in Bloomfield, CT.

REPORT FROM CHIEF EXECUTIVE OFFICER

Scott Jellison, Chief Executive Officer presented the monthly CEO Report

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
PETITION FOR DISABILITY RETIREMENT**

To: District Board

From: Personnel, Pension and Insurance Committee February 17, 2016

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 August 1, 2015, for Mr. Leon Wang. 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.

At a meeting of the Personnel, Pension and Insurance Committee held on February 17, 2016, it was:

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

RESOLVED: That effective March 1, 2016, Mr. Leon Wang shall be approved for a Disability Retirement pursuant to the terms and conditions of the General Ordinances of the Metropolitan District Commission.

Respectfully Submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
RENEWAL OF CEO CONTRACT**

EXECUTIVE SESSION

At 6:09 P.M., Chairman DiBella requested an executive session to discuss the CEO Contract.

On motion made by Commissioner Sweezy and duly seconded, the Personnel, Pension & Insurance Committee entered into executive session to discuss the CEO Contract.

Those in attendance during the executive session:

Commissioners Andrew Adil, Daniel Camilliere, Donald M. Currey, Timothy Curtis, William A. DiBella, Matthew B. Galligan, Allen Hoffman, Jean Holloway, Joseph Klett, Kathleen J. Kowalyshyn, Joseph H. Kronen, Maureen Magnan, Mark A. Pappa,

Hector Rivera, Pasquale J. Salemi, Raymond Sweezy and Richard W. Vicino;
Attorneys Christopher R. Stone and R. Bartley Halloran

RECONVENE

At 6:21 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Adil and duly seconded, the Committee came out of executive session and reconvened. No formal action was taken.

To: District Board

From: Personnel, Pension and Insurance Committee February 17, 2016

At a meeting of the Personnel, Pension and Insurance Committee held on February 17, 2016, it was:

RESOLVED:

The Personnel, Pension and insurance Committee of the Metropolitan District hereby recommends to the District Board that said Board approve and authorize the District Chairman to execute, on its behalf, the First Amendment to Employment Contract amending the Employment Contract dated February 1, 2015 by and between the District and its Chief Executive Officer, Scott W. Jellison, as attached hereto and incorporated by reference herein.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

FIRST AMENDMENT TO EMPLOYMENT CONTRACT

This First Amendment, as specifically provided for herein, to a certain Employment Contract dated February 1, 2015, by and between the Metropolitan District, a specially chartered municipal corporation with offices located at 555 Main Street, Hartford, Connecticut ("District"), acting herein through its Chairman William A. DiBella, duly authorized by resolution of the District at its meeting of _____, 2016, and Scott W. Jellison, Chief Executive Officer of the District ("CEO") provides as follows:

WHEREAS, by agreement dated February 1, 2015, the District and CEO entered into an employment agreement ("Employment Contract") whereby the District hired the CEO to serve as the chief executive officer of the District from February 1, 2015 through January 31, 2016, subject to certain terms, conditions and undertakings as provided therein; and

WHEREAS, the District and CEO desire to amend the Employment Contract to extend its term and modify the compensation provision as it relates to the number of years of credited service included in the CEO's District pension;

NOW THEREFORE, in exchange for the mutual undertakings and obligation set forth herein, and for other valuable consideration, the District and the CEO hereby agree to modify the Employment Contract as follows:

1. Effective January 1, 2016, Section 3 of this Employment Contract is deleted, and replaced with the following:

3. Term: The term of this Agreement shall commence on January 1, 2016 and shall terminate on December 31, 2018, unless sooner terminated pursuant to Paragraph 7 below. Further, on each anniversary date of the term of this Agreement, and absent

contrary action by the Board of Commissioners of the District (District Board) prior to December 31st of each contract year, the term of this Agreement shall be extended for an additional year; as such, absent contrary action by the District Board, upon each anniversary date, the term of this Agreement shall be three (3) years.

2. **Effective January 1, 2016, Section 4 of this Employment Agreement is deleted, and replaced with the following:**

4. **Compensation:**

a. For services rendered by the CEO under this Agreement, the CEO shall be compensated at an annual salary of \$301,394.07, payable on a weekly basis in arrears and subject to all payroll deductions required by law. Nothing in this Agreement shall be construed as requiring increases to CEO's salary during the term of this Agreement or any extension or renewal thereof. Notwithstanding the foregoing, the CEO's salary shall be increased by any cost of living adjustment authorized by the District Board during the term of this Agreement for other executive level staff of the District.

During the term of this Agreement, the CEO may be reimbursed for reasonable and authorized business expenses incurred in connection with his employment, as approved by the District and subject to such requirements with respect to substantiation and documentation as may be specified by the District or the Internal Revenue Service.

b. As additional compensation, and subject to the limitations set forth below, the District shall credit the CEO with one (1) additional year of credited service for each year of credited service he earns on or after January 1, 2015, up to a maximum of ten (10) additional years of credited service ("Additional Years of Credited Service"). On or before March 1, 2016, the District shall amend the District's retirement plan to

incorporate such provisions as are necessary to effectuate this aspect of the CEO's compensation.

Notwithstanding the vesting provisions of the retirement plan, if either of the following events occurs on or before December 31, 2024, then: (i) the portion of the accrued benefit of the CEO under the retirement plan which is attributable to the Additional Years of Credited Service credited to the CEO under the preceding paragraph shall be forfeited; and (ii) the Additional Years of Credited Service credited to the CEO under the preceding paragraph shall not be taken into account for purposes of determining whether the sum of his age and years of credited service for purposes of the "Rule of 85" definition of normal retirement date under the retirement plan equals eighty-five (85):

- (i) the CEO voluntarily elects to terminate his employment by providing the District with at least one hundred (100) calendar days' prior notice of termination, as permitted by Section 7(A)(i) of the Employment Contract; or
- (ii) the District terminates the CEO for "just cause" (as defined in Section 7(B) of the Employment Contract), as permitted by Section 7(A)(iii) of the Employment Contract.

However, notwithstanding the provisions of this subsection (b) relating to the forfeiture of the portion of the accrued benefit of the CEO which is attributable to the Additional Years of Credited Service credited to the CEO under this subsection (b), such portion of his accrued benefit which is accrued to the date of his sixty-fifth (65th) birthday shall become vested and nonforfeitable upon such date, as required by the terms of the retirement plan. In addition, upon the termination or partial termination of the retirement

plan or the complete discontinuance of contributions to the retirement plan, the portion of the accrued benefit of the CEO which is attributable to the Additional Years of Credited Service credited to the CEO under this subsection (b) and which is accrued to the date of such termination or partial termination or complete discontinuance of contributions shall become vested and nonforfeitable, to the extent funded as of such date, as required by the terms of the retirement plan.

In all other respects, unless specifically modified herein, the Employment Agreement, and terms and conditions set forth therein, remain in full force and effect.

In witness hereof, the parties have hereunto signed this Agreement this ___ day of _____, 2016.

The Metropolitan District

William A. DiBella

Scott W. Jellison

Approved as to form and content:

R. Bartley Halloran, Esq.
District Counsel
Dated: _____

On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**JOB CLASSIFICATION REVISION
BILLING ANALYST**

To: District Board

February 17, 2016

From: Personnel, Pension and Insurance Committee

Staff is recommending that the Classification Plan be amended to include the revised position of *Billing Analyst* with a proposed value of EE-13 (annual range \$83,175.53 – \$108,129.19). The position will provide professional level work maintaining the Metropolitan District's accounting system with respect to billing processes. The position will assist in developing billing processes and procedures and analyzing billing data.

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

Therefore, staff is recommending that the classification system be amended to reflect the modification of the *Billing Analyst* position and assign the classification a value of EE-13.

At a meeting of the Personnel, Pension and Insurance Committee held on February 17, 2016, 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 modification of the *Billing Analyst* position and assign this classification a value of EE-13.

Respectfully Submitted,

John S. Mirtle, Esq.
District Clerk

**METROPOLITAN DISTRICT COMMISSION
CLASSIFICATION DESCRIPTION**

CLASSIFICATION TITLE: BILLING ANALYST

JOB SUMMARY

The purpose of this classification is to perform professional level work maintaining the Metropolitan District's accounting system with respect to billing processes. The position will assist in developing billing processes and procedures and analyzing billing data.

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.

- Designs, implements and oversees billing procedures and processes. Plans and implements internal controls and quality assurances for billing processes. Works in a cross-functional capacity to ensure best practices are followed.
- Acts as a liaison to stakeholders regarding billing rates and billing details.
- Ensures the accuracy and timeliness of the billing processes for the District. Reviews and analyzes billing.
- Performs analysis of billing effectiveness and recommends and implements improvements to the billing system.
- Documents all processes. Monitors and responds to changes in billing requirements.
- May oversee the work of other employees in the billing group.
- Performs other related duties as required.

SUPERVISION RECEIVED

Works under the general direction of the Controller.

MINIMUM QUALIFICATIONS

Bachelor's degree in accounting or closely related field; supplemented by minimum five (5) years previous experience and/or training that includes billing process development and financial analysis, including two (2) years of supervisory and/or managerial experience. Additional years of service and experience in the utility industry can be used as a replacement for the degree requirement.

Experience with SAP/ERP Systems preferred.

SPECIAL REQUIREMENTS

None.

PERFORMANCE APTITUDES (KNOWLEDGE, SKILLS, AND ABILITIES)

Data Utilization: Requires the ability to coordinate, manage, strategize, and/or correlate data and/or information. Includes exercise of judgment in determining time, place and/or sequence of operations. Includes referencing data analyses to determine necessity for revision of organizational components.

Human Interaction: Requires the ability to function in a supervisory/managerial capacity for a group of workers. Includes the ability to make decisions on procedural and technical levels and communicate processes to others company wide.

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 a wide variety of reference, descriptive, advisory and/or design data and information.

Mathematical Aptitude: Requires the ability to perform addition, subtraction, multiplication and division; ability to calculate decimals and percentages; may include ability to perform mathematical operations with fractions; may include ability to compute discount, interest, profit and loss, ratio and proportion; may include ability to calculate surface areas, volumes, weights, and measures.

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 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 workstation.

Sensory Requirements: Some tasks require the ability to perceive and discriminate sounds, and visual cues or signals. Some tasks require the ability to communicate orally.

Environmental Factors: Tasks are regularly preformed 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 accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

On motion made by Commissioner Camilliere and duly seconded, the report was received and resolution adopted by majority vote of those present

Commissioner Currey opposed**BOARD OF FINANCE
2015 OPERATING BUDGET TRANSFER**

To: District Board

From: Board of Finance

February 17, 2016

The 2015 Metropolitan District operating budget is experiencing a deficit in the Legal, Employee Benefits and Human Resources budgets. The Legal deficit is the result of the increased legal services during the year. The Employee Benefits budget deficit is due increased medical claims and retirements in 2015. The increase in Human Resources is due to Obamacare Tax.

CERTIFICATIONS:

In accordance with Section 3-8 of the Charter of The Metropolitan District, I hereby certify that there exists free from encumbrances, in the following appropriation, the amounts listed:

	General	Water	Total
Department 801 – Contingencies	\$91,420.00	\$66,402.00	\$157,822.00
Department-402 Hartford Water Pollution Control	124,898.00	-0-	124,898.00
Department-741-Special Agreements & Programs	-0-	<u>387,900.00</u>	<u>387,900.00</u>
Total	<u>\$216,318.00</u>	<u>\$454,302.00</u>	<u>\$670,620.00</u>

John M. Zinzarella
Chief Financial Officer

At a meeting of the Board of Finance held on February 17, 2016, it was:

Voted: That the Board of Finance recommends to the District Board passage of the following resolution.

Resolved: That transfers within the 2015 Budget Appropriations be approved as follows:

From:	General	Water	Total
Department 801 – Contingencies	\$91,420.00	\$66,402.00	\$157,822.00

Department-402 Hartford Water Pollution Control	124,898.00	-0-	124,898.00
Department-741-Special Agreements & Programs	-0-	<u>387,900.00</u>	<u>387,900.00</u>
Total	<u>\$216,318.00</u>	<u>\$454,302.00</u>	<u>\$670,620.00</u>
To:	General	Water	Total
Department-141 Legal	\$68,600.00	\$71,400.00	\$140,000.00
Department-151 Human Resources	39,298.00	40,902.00	80,200.00
Department-711 Employee Benefits	<u>108,420.00</u>	<u>342,000.00</u>	<u>450,420.00</u>
Total	<u>\$216,318.00</u>	<u>\$454,302.00</u>	<u>\$670,620.00</u>

Respectfully Submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Salemi and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**BOARD OF FINANCE
\$52,000,000 BOND REFUNDING RESOLUTION**

To: District Board

February 17, 2016

From: Board of Finance

At a meeting of the Board of Finance held on February 17, 2016, it was:

Voted:

That the Board of Finance finds, based on the recommendation of First Southwest, that the issuance of not exceeding \$52,000,000 General Obligation Refunding Bonds of the Metropolitan District (the "District") shall result in a net

present value debt service savings to the District and, therefore, recommends to the District Board passage of the following resolution:

**RESOLUTION WITH RESPECT TO THE AUTHORIZATION,
ISSUANCE AND SALE OF NOT EXCEEDING \$52,000,000 GENERAL
OBLIGATION REFUNDING BONDS OF THE METROPOLITAN
DISTRICT**

RESOLVED:

Section 1. Not exceeding \$52,000,000 General Obligation Refunding Bonds (the "Refunding Bonds") of the Metropolitan District (the "District") may be issued in one or more series and in such principal amounts as the Chairman and District Treasurer, or in their absence, the Vice Chairman or Deputy Treasurer, shall determine to be in the best interests of the District for the purpose of achieving net present value savings and/or to moderate debt service payments. The District Board finds, based on the recommendation of First Southwest, that the issuance of the Refunding Bonds shall result in a net present value debt service savings to the District. The Refunding Bonds are hereby authorized to refund all or any portion of any one or more series of the District's outstanding General Obligation Bonds, Issue of 2008 (the "Refunded Bonds"). The Refunding Bonds shall be issued and sold either in a negotiated underwriting or a competitive offering, at such time or times as the Chairman and the District Treasurer, or in their absence, the Vice Chairman or Deputy Treasurer, shall determine to be most opportune for the District. Each series of Refunding Bonds shall mature in such amounts and on such date or dates as shall be determined by the Chairman and District Treasurer, or in their absence, the Vice Chairman or Deputy Treasurer, provided that no Refunding Bonds shall mature later than the final maturity date of the last maturity of any Refunded Bonds being refunded by such series. The Refunding Bonds shall bear interest payable at such rate or rates as shall be determined by the Chairman and District Treasurer, or in their absence, the Vice Chairman or Deputy Treasurer,. The Refunding Bonds shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman and the District Treasurer, or in their absence, the Vice Chairman or Deputy Treasurer, bear the District seal or a facsimile thereof, and be approved as to their legality by Hinckley, Allen & Snyder LLP, and Finn Dixon & Herling LLP, Bond Counsel. The Refunding Bonds shall be general obligations of the District and each of the Refunding Bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the District are pledged to the payment of the principal thereof and the interest thereon. The aggregate denominations, form, details, and other particulars thereof, including the terms of any rights of redemption and redemption prices, the designation of the certifying, paying, registrar and transfer agent, shall be subject to the approval of the Chairman and District Treasurer, or in their absence, the Vice Chairman or Deputy Treasurer. The net proceeds of the sale of the Refunding Bonds, after payment of

underwriter's discount and other costs of issuance, shall be deposited in an irrevocable escrow account in an amount sufficient to pay the principal of, interest and redemption premium, if any, due on the Refunded Bonds to maturity or earlier redemption pursuant to the plan of refunding. The Chairman and District Treasurer, or in their absence, the Vice Chairman or Deputy Treasurer, are authorized to appoint an escrow agent and other professionals and to execute and deliver any and all escrow, investment and related agreements necessary to provide for such payments on the Refunded Bonds and to provide for the transactions contemplated hereby. The Chairman and District Treasurer, or in their absence, the Vice Chairman or Deputy Treasurer, are authorized to prepare and distribute preliminary and final Official Statements of the District for use in connection with the offering and sale of the Refunding Bonds, and they are hereby authorized to execute and deliver on behalf of the District a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Regulatory Agreement, Escrow Agreement and such other documents necessary or desirable for the issuance of the Refunding Bonds and the payment of Refunded Bonds.

Section 2. This resolution shall be effective until December 31, 2016.

Respectfully Submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Magnan and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**BOARD OF FINANCE
APPROVAL FOR STATE OF CONNECTICUT FINANCING
CWF NO. 215-C**

To: District Board

February 17, 2016

From: Board of Finance

At a meeting of the Board of Finance held on February 17, 2016, it was:

VOTED: That the Board of Finance recommends to the District Board passage of the following resolution from Bond Counsel

**RESOLUTION OF THE DISTRICT BOARD WITH RESPECT TO THE
ISSUANCE OF INTERIM FUNDING OBLIGATIONS AND PROJECT
LOAN OBLIGATIONS PURSUANT TO THE PROJECT LOAN AND
PROJECT GRANT AGREEMENT CWF NO. 215-C BETWEEN THE
STATE OF CONNECTICUT AND THE METROPOLITAN DISTRICT
UNDER THE CLEAN WATER FUND PROGRAM**

RESOLVED:

Section 1. The Chairman and the District Treasurer or Deputy Treasurer are authorized to execute and deliver Project Loan and Project Grant Agreement CWF No. 215-C to be entered into with the State of Connecticut (the "Agreement") and any and all Interim Funding Obligations and Project Loan Obligations for CWF No. 215-C in the aggregate amount not to exceed \$11,692,057.44. Such Interim Funding Obligations shall be dated as of their date of issue, shall mature within six months of the Scheduled Completion Date, shall bear interest at the rate of two percent (2.00%) per annum, shall be payable as to principal and interest as provided in the Agreement and, to the extent not paid prior to maturity from The Metropolitan District funds, may be renewed by the issuance of Interim Funding Obligations or Project Loan Obligations, all as provided in the Agreement. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

Section 2. The Project Loan Obligations shall be dated as of their date of issue, shall mature no later than twenty years from the Scheduled Completion Date, shall bear interest at the rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectfully Submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Salemi and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**BUREAU OF PUBLIC WORK
AUTHORIZATION OF SUPPLEMENTAL ASSESSMENT
777 MAIN STREET HARTFORD**

To: District Board

From: Bureau of Public Works

February 17, 2016

On November 5, 2015, a preliminary schedule of assessment for the above supplemental assessment was mailed to the property owner. A public hearing was held on November 18, 2015, chaired by Commissioner Vicino. The property owner attended the hearing and spoke in opposition to the supplemental assessment.

District staff and the Commissioners present at the public hearing recommend levying the supplemental assessment.

Subsequent to the public hearing, at a meeting held on December 14, 2015 the Bureau of Public Works ordered publication of a schedule of assessments.

On December 23, 2015, the schedule of assessments was published as ordered by the Bureau of Public Works. An appeal was filed in Hartford Superior Court on January 12, 2016 BY 777 Residential LLC. A copy of the schedule of assessments is on file in the office of the District Clerk.

It is therefore recommended that it be:

RESOLVED: Notwithstanding the appeal of the supplemental assessment filed in Hartford Superior Court by 777 Residential LLC, the District Board hereby authorizes a supplemental assessment for 777 Main Street Hartford, using the schedule of flat rates adopted and effective June 21, 1995, for property used or zoned for single residential dwelling units at \$1,655.00 per dwelling unit allowed by zoning on a buildable lot, and further authorizes the Bureau of Public Works to declare the such supplemental assessment due and payable.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**SUPPLEMENTAL SEWER ASSESSMENT FOR
777 MAIN STREET IN HARTFORD**

THE METROPOLITAN DISTRICT
555 Main Street, P.O. Box 800
Hartford, Connecticut

December 23, 2015

At a meeting held on December 14, 2015, the Bureau of Public Works voted to approve passage of the following resolution:

Resolved: That a schedule of supplemental assessment for 777 Main Street Hartford, be published and filed in accordance with Connecticut General Statutes §7-250 using the schedule of flat rates adopted and effective June 21, 1995, for property used or zoned for two or more dwelling units at \$1,655.00 per dwelling unit allowed by zoning on a buildable lot, and a copy of such assessment be mailed to any property owner affected thereby, which mailing shall state the date of such filing and that any appeals from such assessment must be taken within twenty-one days (21) after such filing.

These sewers are for the conveyance of sanitary sewage only; all storm water, cooling water, subsoil drainage and objectionable industrial wastes are excluded, as described in the Ordinances of The Metropolitan District.

Assessments are based on the schedule of flat rate adopted June 21, 1995, for property used or zoned for single residential dwelling units at \$1,655.00 per dwelling unit or dwelling unit allowed by zoning on a buildable lot.

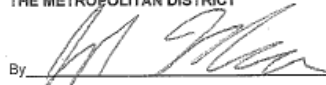
SUPPLEMENTAL SEWER ASSESSMENT

<u>Property now or Formerly of</u>	<u>Number</u>	<u>Dwelling Units</u>	<u>Rate</u>	<u>Supplemental Sewer Assessment</u>
<u>MAIN STREET, HARTFORD</u> 777 RESIDENTIAL LLC	777	286	\$1,655	\$473,330.00
Total Supplemental Sewer Assessments				\$473,330.00

And we find no damages or special benefits to any other person or party, lot or property.

This Supplement Sewer Assessment has been filed with this office and the office of the City Clerk for the City of Hartford on the date set forth above, and all persons aggrieved by the foregoing assessment or awards of damages must take an appeal to the superior court for the judicial district of Hartford within twenty-one days (21) from date of such filing. Said appeal must be taken in accordance with the procedure outlined in Connecticut General Statutes §7-250.

THE METROPOLITAN DISTRICT

By 
John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Rivera and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**BUREAU OF PUBLIC WORK
LAYOUT AND AUTHORIZATION FOR CONSTRUCTION OF SANITARY SEWERS
FOR PIERSON LANE, WINDSOR**

To: District Board

From: Bureau of Public Works

February 17, 2016

On Tuesday, August 25, 2015, the Metropolitan District Commission held a public hearing on proposed layout and assessment for sanitary sewers in portions of Pierson Lane, Windsor.

Subsequent to the public hearing, at a meeting held on November 18, 2015 the Bureau of Public Works ordered publication of a layout and schedule of assessments for the proposed project, and voted to recommend to the District Board passage of a resolution to layout and authorize construction of the proposed sanitary sewers.

On January 6, 2016, the combined layout and schedule of assessments was published as ordered by the Bureau of Public Works. No appeals were taken. A copy of the combined layout and schedule of assessments is on file in the office of the District Clerk.

It is therefore recommended that it be:

RESOLVED: That the Metropolitan District lays out and constructs a public sanitary sewer with manholes and appurtenances in portions of **PIERSON LANE, WINDSOR**, as more specifically described on a plan on file in the office of the Metropolitan District, 555 Main Street, P.O. Box 800, Hartford Connecticut, entitled, "THE METROPOLITAN DISTRICT HARTFORD, CONNECTICUT ASSESSMENT MAP FOR SANITARY SEWER IN A PORTION OF PIERSON LANE, WINDSOR SCALE: 1" = 100' MDC CODE: 109 PIERSON LANE, WINDSOR.

The sewers are to be in accordance with the plans, specifications and/or directions of the Director of Engineering of The Metropolitan District.

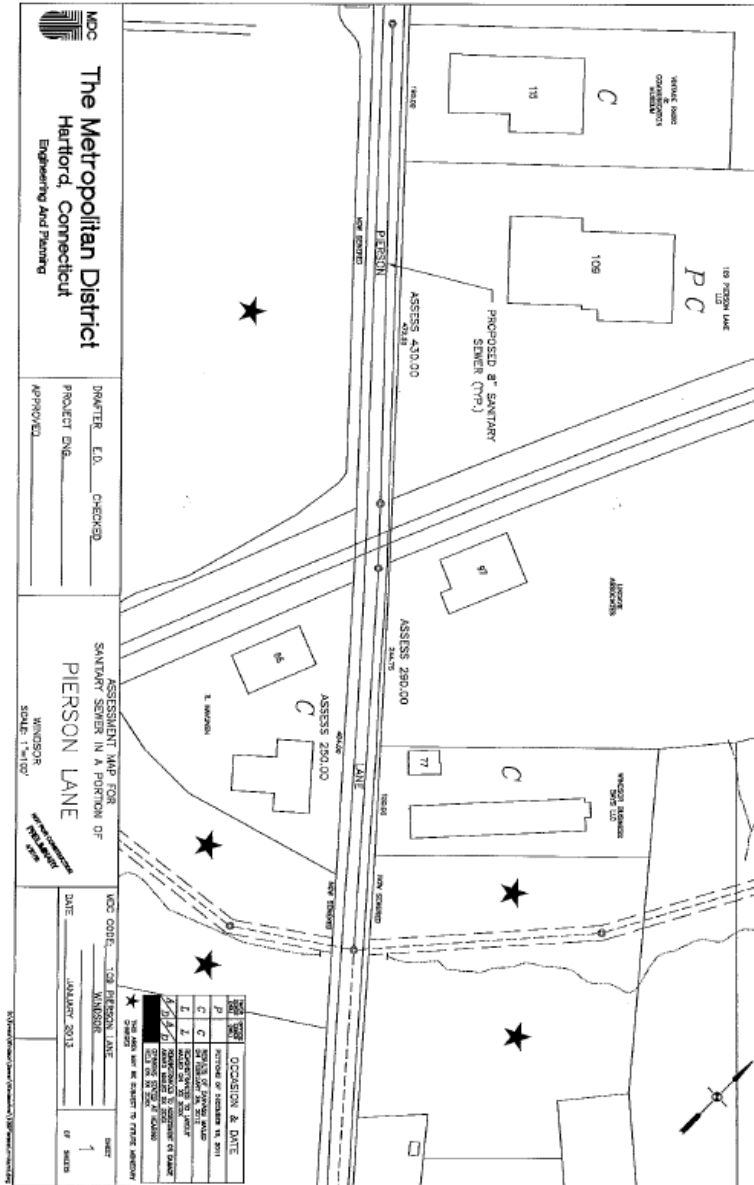
These sewers are for the conveyance of sanitary sewage only; all storm water, cooling water, subsoil drainage and objectionable industrial wastes are excluded, as described in the Ordinances of The Metropolitan District.

FURTHER

RESOLVED: That the resolution entitled "LAYOUT AND AUTHORIZATION OF CONSTRUCTION OF SANITARY SEWERS FOR PIERSON LANE, WINDSOR" be and the same hereby is passed, the construction of sewers described therein is authorized, as set forth in the assessment and payment for the same is authorized from the Assessable Sewer Fund.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk



On motion made by Commissioner Magnan and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**BUREAU OF PUBLIC WORKS
 CONSIDERATION & POTENTIAL ACTION ON AUTHORIZATION TO INITIATE
 CONDEMNATION PROCEEDING TO SECURE PERMANENT AND TEMPORARY
 EASEMENT RIGHTS AS NECESSARY TO COMPLETE THE SOUTH HARTFORD
 CONVEYANCE AND STORAGE TUNNEL PROJECT**

To: District Board

From: Bureau of Public Works

February 17, 2016

By referendum approved in November 6, 2012, the electorate within the Metropolitan District approved for funding for the Clean Water Project. The funding authorization included the expenditure of those funds necessary to purchase, by condemnation or otherwise, such property rights as may be necessary to prosecute the work and complete the improvements required under the Clean Water Project.

As part of its ongoing Clean Water Project activities, the MDC is constructing an eighteen (18) foot wide, twenty-one thousand eight hundred (21,800) linear foot tunnel. The tunnel will provide increased sewer transportation and storage capacity during periods of high wet weather flows. This competitively bid project includes the creation of: (i) launch and retrieval shafts at the tunnel terminus points in Hartford and West Hartford, respectively; (ii) up to seven thousand three hundred (7,300) linear feet of near surface consolidation sewers; (iii) eight (8) tangential vortex hydraulic drop shafts; (iv) a forty million (40,000,000) gallon per day dry pit tunnel pump station; (v) odor control facilities at all potential air release points; and (vi) various other structures and facilities.

To build the tunnel and its various appurtenances, the MDC must acquire certain property rights, including one (1) permanent and one (1) temporary easement, over private land situated at the corner of Franklin Avenue and Hanmer Street in Hartford. The impacted parcel and property owner are as follows:

Owner: Bosnian-American Islamic & Cultural Center, Inc.

Parcel: 595 Franklin Avenue, Hartford, Connecticut

Attached is a copy of the taking map detailing the location, area and other details associated with the permanent and temporary easement takings.

The MDC must obtain the permanent and temporary easement from the property owner prior to the commencement of work by the selected contractor. Despite lengthy negotiations with the property owner, the MDC has not been able to acquire the permanent and temporary easements. Accordingly, action to take the property rights must commence forthwith. Efforts to acquire the necessary property rights by agreement continue, notwithstanding the condemnation proceedings.

The compensation to be paid to the affected property owner represents the average appraised value as independently determined by two (2) Connecticut licensed appraisers. As provided by the MDC Charter Section 1-4, in order to proceed with the condemnation proceeding, a resolution of the District Board is required.

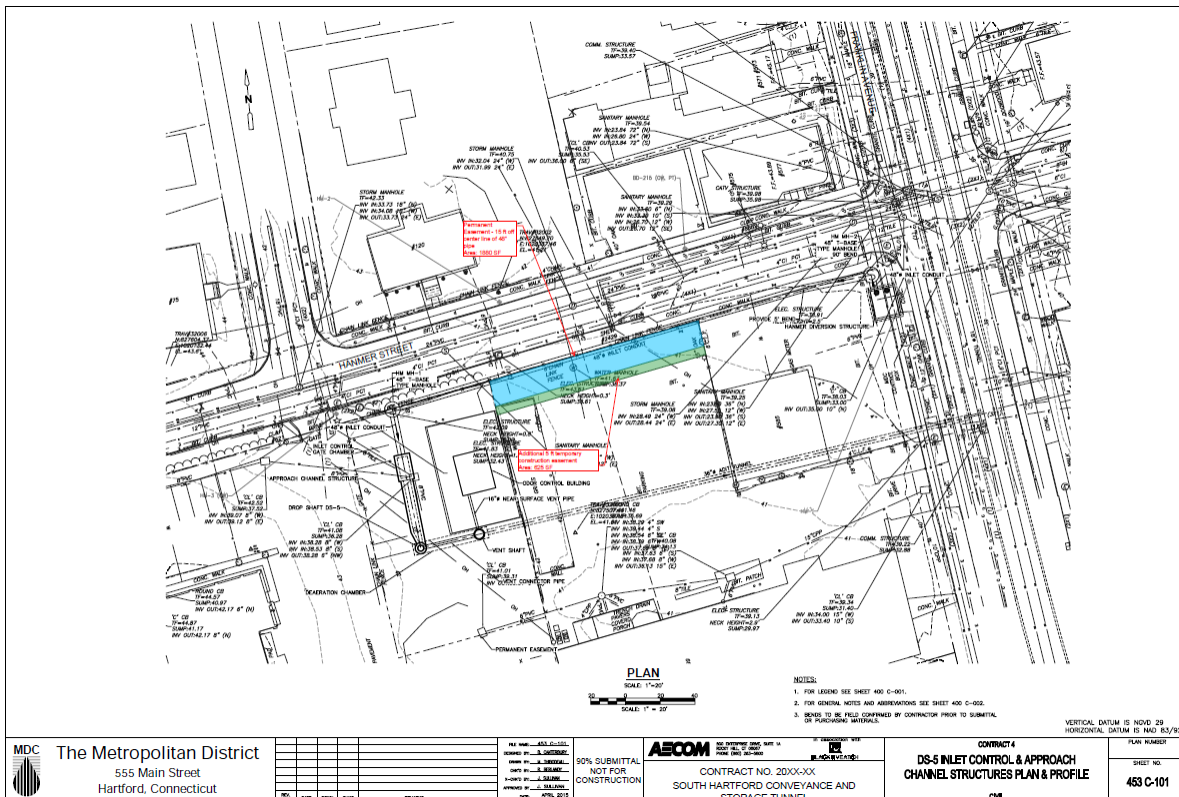
THEREFORE, BE IT RESOLVED THAT:

Pursuant to Conn. Gen. Stat. § 48-12, and Metropolitan District Charter Section 1-2, 1-2f and 1-4, the Board of the Metropolitan District hereby authorizes District staff to proceed with condemnation proceedings on the aforementioned private property and to acquire such property rights pursuant thereto as are necessary for the installation, maintenance, repair and use of those improvements within the South Hartford Conveyance and Storage Tunnel project contained within or affecting said private property.

The amount of compensation awarded pursuant to said condemnation proceeding(s) shall be the average value of the property rights acquired, as independently determined by two (2) Connecticut licensed appraisers.

Respectfully Submitted,

John S. Mirtle, Esq.
District Clerk



On motion made by Commissioner Rivera and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**BUREAU OF PUBLIC WORKS
CONSIDERATION & POTENTIAL ACTION ON AUTHORIZATION
TO INITIATE CONDEMNATION PROCEEDING TO SECURE PROPERTY
AS NECESSARY TO COMPLETE THE SOUTH HARTFORD CONVEYANCE AND
STORAGE TUNNEL PROJECT**

To: District Board

From: Bureau of Public Works

February 17, 2016

By referendum approved in November 6, 2012, the electorate within the Metropolitan District approved for funding for the Clean Water Project. The funding authorization included the expenditure of those funds necessary to purchase, by condemnation or otherwise, such property rights as may be necessary to prosecute the work and complete the improvements required under the Clean Water Project.

As part of its ongoing Clean Water Project activities, the MDC is constructing an eighteen (18) foot wide, twenty-one thousand eight hundred (21,800) linear foot tunnel. The tunnel will provide increased sewer transportation and storage capacity during periods of high wet weather flows. This competitively bid project includes the creation of: (i) launch and retrieval shafts at the tunnel terminus points in Hartford and West Hartford, respectively; (ii) up to seven thousand three hundred (7,300) linear feet of near surface consolidation sewers; (iii) eight (8) tangential vortex hydraulic drop shafts; (iv) a forty million (40,000,000) gallon per day dry pit tunnel pump station; (v) odor control facilities at all potential air release points; and (vi) various other structures and facilities.

To build the tunnel and its various appurtenances, the MDC must acquire certain property rights, including a twelve thousand one hundred sixty-three (12,163) square foot (0.279 acres) portion of private land situated along Hanmer Street in Hartford. The impacted parcel and property owner are as follows:

Owner: KWK Hanmer, LLC

Parcel: 99 Hanmer Street, Hartford, Connecticut

Attached is a copy of the taking map detailing the location, area and other details associated with the taking.

The MDC must obtain the property from the property owner prior to the commencement of work by the selected contractor. Despite lengthy and vigorous negotiations with the property owner, the MDC has not been able to acquire the property. Accordingly, action to take the property must commence forthwith. Efforts to acquire the necessary property rights by agreement continue, notwithstanding the condemnation proceedings.

The compensation to be paid to the affected property owner represents the average appraised value as independently determined by two (2) Connecticut

licensed appraisers. As provided by the MDC Charter Section 1-4, in order to proceed with the condemnation proceeding, a resolution of the District Board is required.

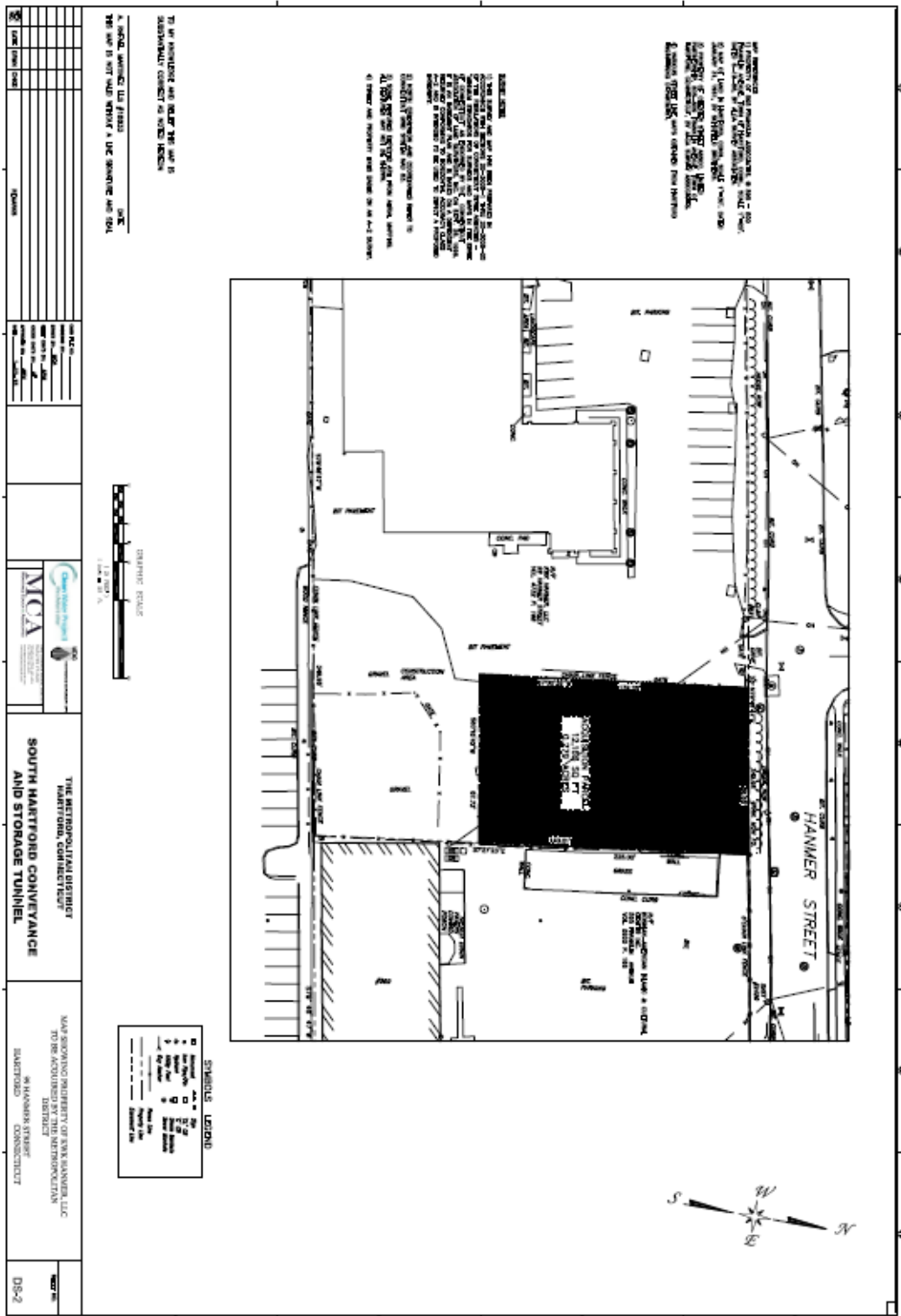
THEREFORE, BE IT RESOLVED THAT:

Pursuant to Conn. Gen. Stat. § 48-12, and Metropolitan District Charter Section 1-2, 1-2f and 1-4, the Board of the Metropolitan District hereby authorizes District staff to proceed with condemnation proceedings on the aforementioned private property and to acquire such property rights pursuant thereto as are necessary for the installation, maintenance, repair and use of those improvements within the South Hartford Conveyance and Storage Tunnel project contained within or affecting said private property.

The amount of compensation awarded pursuant to said condemnation proceeding(s) shall be the average value of the property rights acquired, as independently determined by two (2) Connecticut licensed appraisers.

Respectfully Submitted,

John S. Mirtle, Esq.
District Clerk



On motion made by Commissioner Camilliere and duly seconded, the report was received and resolution adopted by unanimous vote of those present

**BUREAU OF PUBLIC WORK
AUTHORIZATION TO CONDEMN SUBTERRANEAN EASEMENTS**

To: District Board

February 17, 2016

THEREFORE, BE IT RESOLVED THAT:

Pursuant to Conn. Gen. Stat. § 48-12, and Sections 1-1, 1-2f and 1-4 of the Metropolitan District Charter, the Board of the Metropolitan District hereby authorizes District staff to proceed with condemnation proceedings on those properties attached hereto and incorporated herein as "Exhibit A", to acquire such property rights pursuant thereto as are necessary for the installation, use, maintenance and repair of the South Hartford Conveyance and Storage Tunnel and appurtenances thereto within or affecting said properties, and to take such further or related action(s) as may be necessary to effectuate the project.

The amount of compensation to be awarded to the property owner(s) of each of said properties pursuant to said condemnation proceeding shall be \$100.00, notwithstanding that the average value as determined by two independent Connecticut licensed appraisers is zero.

Further, in the event any of said property owner(s) agree to voluntarily execute the subterranean easement for the installation, use, maintenance and repair of the South Hartford Conveyance and Storage Tunnel and appurtenances thereto (as more fully set forth in Exhibit B attached hereto) prior to the commencement of any contested hearing within said condemnation proceeding, said property owner(s) shall receive the total sum of \$1,250.00 as consideration for said easement.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk**EXHIBIT A****Property****Owner**

115 Airport Road	CL&P
112 Ansonia Street	Rodriguez/Serrano
32 Brixton Street/WH	Lavery
34 Brixton Street/WH	CT Sand and Stone Corp.
2006 Broad Street	Lall
130 Brown Street	Elliott
148 Brown Street	JP Morgan-
185 Campfield Avenue	Ortiz
186 Chandler Street	Hebert

28-30 Clarendon Street
 31 Clarendon Street
 101 Clermont Street
 58 Dexter Street
 117 Douglas Street
 75 Giddings Street
 37 Gilman Street
 63-65 Gilman Street
 491 Hillside Avenue
 808 Maple Avenue
 831 Maple Avenue
 520 New Britain Avenue
 579 New Park Avenue/WH
 85 Sequin Street
 126 Standish Street
 69 Talcott Road/WH
 401 West Preston Street
 454 West Preston Street
 990 Wethersfield Avenue
 1000 Wethersfield Avenue
 1014 Wethersfield Avenue
 60 Newfield Avenue
 774 Oakwood Avenue/WH
 Mgmt.

Budhram
 Guster
 CT Office of Policy & Mgmt.
 Bellestas
 Jessmar Apartments, LLC
 Evelyn Ortiz
 Zocco
 Muskic
 Ortiz
 Mochica Apts.
 Alam
 SNET
 Pinnacle
 Lee
 Bholia
 Audi-CT LLC
 Susaya
 Wells Fargo Bank
 Margaret Properties, LLC
 Margaret Properties, LLC
 Newfield Realty
 State of CT/Dept. of Agriculture
 State of CT/Flood Control & Water

On motion made by Commissioner Rivera and duly seconded, the report was received and resolution adopted by unanimous vote of those present

SETTLEMENT OF PROPOSED WORKER'S COMPENSATION CLAIM

To: District Board

February 11, 2015

BE IT HEREBY RESOLVED, that pursuant to Section B2f of the By-Laws of the Metropolitan District, the Board of Commissioners of the Metropolitan District hereby authorizes District Counsel, or his designee, to execute any and all documents reasonably necessary to effect the settlement of any and all claims pertaining to workers' compensation for Giuseppe Scodella in the amount of \$38,500.00.

Respectfully submitted,

John S. Mirtle
 District Clerk

On motion made by Commissioner Kronen and duly seconded, the report was received and resolution adopted by unanimous vote of those present

ADJOURNMENT

The meeting was adjourned at 6:41 P.M.

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval