

THE METROPOLITAN DISTRICT COMMISSION

231 Brainard Road
Hartford, Connecticut 06103
Monday, July 13, 2015

Present: Commissioners Andrew Adil, Mary Anne Charron, Donald M. Currey, Timothy Curtis, William A. DiBella, Allen Hoffman, Joseph Klett, Maureen Magnan, Alphonse Marotta, James S. Needham, Mark A. Pappa, J. Lawrence Price, Albert F. Reichin, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino (19)

Absent: Commissioners Luis Caban, Daniel Camilliere, Janice Flemming, Matthew B. Galligan, Michael W. Gerhart, Jean Holloway, William P. Horan, Sandra Johnson, Kathleen J. Kowalyshyn, Joseph H. Kronen, Kennard Ray, Helene Shay, Michael A. Toppi, and Special Representative Michael Carrier (14)

Also

Present: Scott 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
Erin Ryan, Director of Human Resources
Gerald J. Lukowski, Director of Operations
Sue Negrelli, Director of Engineering
Kelly Shane, Director of Procurement
Robert Schwarm, Director of Information Technology
Rob Constable, Director of Finance
Stanley Pokora, Manager of Treasury
Robert Zaik, Manager of Labor Relations
Carol Youell, Natural Resources Administrator
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant
James Masse, Network Analyst

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:37 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.

APPROVAL OF MINUTES

Commissioner Reichin moved to amend the meeting minutes of June 1, 2015 to remove his name from the attendance.

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of June 1, 2015 were approved as amended.

Commissioners Curtis, Magnan and Reichin abstained.

REPORT FROM DISTRICT CHAIRMAN

EXECUTIVE SESSION

At 5:44 P.M., Chairman DiBella requested an executive session.

On motion made by Commissioner Price and duly seconded, the District Board entered into executive session in order to discuss the acquisition of real and personal property in Portland, CT.

Those in attendance during the executive session:

Commissioners Andrew Adil, Mary Anne Charron, Donald M. Currey, Timothy Curtis, William A. DiBella, Allen Hoffman, Joseph Klett, Maureen Magnan, Alphonse Marotta, James S. Needham, Mark A. Pappa, J. Lawrence Price, Albert F. Reichin, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino; Attorneys Christopher R. Stone and R. Bartley Halloran; Scott Jellison; John M. Zinzarella; Gerald J. Lukowski and Sue Negrelli.

RECONVENE

At 6:09 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Magnan and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

EXECUTIVE SESSION

At 6:10 P.M., Chairman DiBella requested an executive session.

On motion made by Commissioner Price and duly seconded, the District Board entered into executive session in order to discuss the acquisition of real and personal property in Glastonbury, CT.

Those in attendance during the executive session:

Commissioners Andrew Adil, Mary Anne Charron, Donald M. Currey, Timothy Curtis, William A. DiBella, Allen Hoffman, Joseph Klett, Maureen Magnan, Alphonse Marotta, James S. Needham, Mark A. Pappa, J. Lawrence Price, Albert F. Reichin, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino; Attorneys Christopher R. Stone and R. Bartley Halloran; Scott Jellison; John M. Zinzarella; Gerald J. Lukowski and Sue Negrelli.

RECONVENE

At 6:27 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Adil and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

EXECUTIVE SESSION

At 6:27 P.M., Chairman DiBella requested an executive session.

On motion made by Commissioner Marotta and duly seconded, the District Board entered into executive session in order to discuss pending litigation.

Those in attendance during the executive session:

Commissioners Andrew Adil, Mary Anne Charron, Donald M. Currey, Timothy Curtis, William A. DiBella, Allen Hoffman, Joseph Klett, Maureen Magnan, Alphonse Marotta, James S. Needham, Mark A. Pappa, J. Lawrence Price, Albert F. Reichin, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino;

Attorneys Christopher R. Stone and R. Bartley Halloran; Scott Jellison and John M. Zinzarella.

RECONVENE

At 6:49 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Magnan and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

Commissioner Reichin left the meeting at 6:49 P.M.

REPORT FROM CEO

Scott Jellison, Chief Executive Officer presented the monthly CEO Report.

Without objection, Agenda Items 8A “Wildlife Management; 8B “Horseback Riding on Reservoir Property” and 8C “Encroachment at Lot 6A Lakeview Avenue in Rocky Hill” were consolidated and considered together.

WATER BUREAU PROPOSED EXPANSION OF CT DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION (DEEP) WILDLIFE MANAGEMENT PROGRAM ON DISTRICT WATERSHED LANDS

To: District Board

July 13, 2015

From: Water Bureau

The health and sustainability of the District’s watershed lands continue to be affected by high populations of resident white-tailed deer. Heavy deer browsing is reducing, and in some cases eliminating, the forest’s understory vegetation. Native shrubs and tree seedling are being eaten back before having a chance to grow, which impedes our ability to regenerate the forests for the future. Heavy browsing, along with a reduction in forest stocking, increases the potential for soil erosion, runoff, nutrient leaching and an overall decline in drinking water quality. It is essential that the deer populations be managed in order to safeguard the District’s water supplies for the future.

District staff has been working along with CT DEEP wildlife biologists on this critical issue and beginning in 2009 the DEEP was authorized to implement and administer a wildlife management program on District property at the Nepaug Reservoir in cooperation with the District, following the State’s rules and regulations for hunting in Connecticut. This initial program, which focused on a portion of District owned lands in the Nepaug watershed, has been successfully implemented for 6 years and is resulting in a reduction in deer browse pressure and an increase in

forest regeneration. However, there is a need to expand the program to other District watershed lands where impacts from high deer populations are evident.

Following a detailed briefing by the staff to the Water Bureau regarding the need to expand the CT DEEP's wildlife management program on District lands;

At a meeting of the Water Bureau held on May 13, 2015, it was:

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

Resolved: That the State of CT Department of Energy & Environmental Protection (DEEP) be authorized to administer a wildlife management program in cooperation with District staff and in concurrence with all State and MDC rules and regulations, and evaluated on an annual basis, on the District's watershed forest lands where District staff has identified a need to reduce deer populations, as part the District's ongoing watershed forest management program to protect water quality.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**WATER BUREAU
RESOLUTION ALLOWING HORSEBACK RIDING OR
WALKING WITHIN CERTAIN OF THE MDC PROPERTIES**

To: District Board July 13, 2015

From: Water Bureau

As the steward of thousands of acres of watershed property, the District recognizes that the health and sustainability of the District's watershed lands is of paramount importance to the District and the people it serves. These properties are wonderful natural resources and access to these watershed properties has been allowed for recreational purposes so that this land may be enjoyed by District residents and by others. It is important to establish a balance between the need to protect these watershed properties and the benefits of allowing recreational use.

Following a detailed briefing by the staff to the Water Bureau regarding the issue of horseback riding on District reservoir properties;

At a meeting of the Water Bureau held on May 13, 2015, it was:

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

Resolved: That District staff shall apply to the State of Connecticut Department of Public Health to amend existing recreational activity permits to allow for horseback riding or horse walking under limited conditions as described below:

- 1) District staff shall develop a procedure and mechanism for the issuance of non-transferable permits to individuals pursuant to which that individual will be allowed to ride or walk their horses;
- 2) The District shall issue no more than four (4) permits to individuals to allow for horseback riding or walking within designated areas of District watershed property, such area to be limited to that which is detailed on Exhibit A attached hereto. Notwithstanding anything to the contrary contained herein, the District shall issue no more than ten (10) permits in total.
- 3) Such permits shall be issued only to those owners of horses who presently own real property which is contiguous to existing District reservoir property;
- 4) Permits shall be issued only to those riders who have evidenced that their respective experience level is at the intermediate level or above;
- 5) Horseback riders under the age of sixteen (16) shall possess a permit and shall be accompanied by an adult when riding on District property;
- 6) No trailering of horses into the District properties shall be allowed;
- 7) Permittees shall remove from the District property all horse droppings on the day of use;
- 8) Permittees shall not operate a commercial horse operation on property contiguous to the District properties and be allowed to utilize the District property for horseback riding;
- 9) Failure to strictly adhere to these conditions, as well as others conditions that may be imposed by District staff, may result in the immediate forfeiture of any permit granted by the District.
- 10) Prior to the District issuing any permit, the Permittee must execute a waiver of liability and an indemnification and hold harmless agreement drafted by District Counsel or his designee.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**WATER BUREAU
LOT 6A LAKEVIEW AVENUE / HIDDEN VALLEY DRIVE, ROCKY HILL
ENCROACHMENT AGREEMENT**

TO: District Board

July 13, 2015

From: Water Bureau

On September 4, 2014, the Metropolitan District initially received a letter from Guy Rocamora, property owner of Lot #6A Lakeview Avenue/Hidden Valley Drive, Rocky Hill (the "Owner"), requesting permission to permanently encroach upon the 20-foot portion of the District's 30-foot right-of-way, containing an existing 8-inch water main, located across private lands south of Hidden Valley Drive in Rocky Hill (the "Right of Way") for the purpose of installing electric, telephone and cable lines and a new paved driveway to serve a proposed house on the lot.

Both the Water Bureau and the Board of Commissioners approved this request for an encroachment on September 8, 2014. Subsequently, while in the process of executing the agreement, the Owner requested permission to also place the gas service for the property within the District's Right-of-Way.

The purpose of this added encroachment is to allow the gas service to cross the existing Right-of-Way, along with the previously approved electric, telephone and cable lines and a new paved driveway (such gas service, lines and driveway hereinafter collectively referred to as the "Improvements"), to serve the proposed house. As can be seen on the attached sketch, the only possibility the Owner has to develop this property is to cross the MDC Right-of-Way with utilities and a driveway.

The Owner has agreed to the following conditions, which are the same as the previously approved conditions, in order to satisfy the District's concerns for protection of the existing 8-inch water main located within the subject Right-of-Way and the District's accessibility along the length of the Right-of-Way:

1. Any foundations associated with the construction of the proposed house must be located outside of the limits of the existing Right-of-Way. No additional permanent structures, other than the proposed Improvements shall be located within the District's Right-of-Way.
2. Pipes crossing over or under the District's pipelines shall maintain an eighteen (18") inch vertical clearance. Any new pipes located on the parcel shall also maintain a minimum ten (10) foot horizontal clearance.
3. The Metropolitan District shall not be held liable for any damage caused to any utility listed above located within or adjacent to the Right-of-Way in the event of an emergency water main repair. The Metropolitan District will make every effort feasible to minimize damage to these utilities; however the cost for repairs to such utilities shall be the responsibility of the Owner.

4. The District reserves the right to remove pavement or structures within the Right-of-Way at any time if so required for maintenance or repair of the water main. The Owner shall bear any additional maintenance or repair costs necessitated by the presence of pavement and/or structures upon the Right-of-Way.
5. Care must be taken during construction not to disturb the existing water main. All heavy construction equipment must be located outside the limits of the Right-of-Way. Any earth moving equipment that will be utilized on the site over and adjacent to the water main shall be reviewed and approved by District staff prior to mobilization to the site.
6. An MDC inspector must be on the job site whenever work is being performed by or on behalf of Owner to construct, maintain or repair any Improvements within the Right-of-Way, at the expense of the Owner. Any construction, maintenance or repair of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District prior to any such construction, maintenance or repair within the Right-of-Way.

Staff has reviewed the proposed construction plans and determined that there will be no negative impact on District property or infrastructure.

At a meeting of the Water Bureau held on May 13, 2015, it was:

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

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, subject to approval as to form and content by District Counsel, granting permission to Guy Rocamora to encroach upon the 20-foot portion of the District's existing 30-foot water right-of-way south of Hidden Valley Drive, Rocky Hill, with gas service, and the previously approved electrical, telephone and cable lines and a paved driveway, as shown on the plan submitted by Hallisey, Pearson & Cassidy, Civil Engineers and Land Surveyors, dated June, 2014, provided that the District shall not be held liable for any costs or damages of any kind which may result during initial construction or in the following years with respect to any subsequent construction, maintenance or repair as a result of such encroachment.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Sweezy and duly seconded, the reports for resolutions 8A “Wildlife Management; 8B “Horseback Riding on Reservoir Property” and 8C “Encroachment at Lot 6A Lakeview Avenue in Rocky Hill” were received and the resolutions adopted by unanimous vote of those present.

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
PENSION CONSULTANT SELECTION**

To: District Board

From: Personnel, Pension and Insurance Committee July 13, 2015

The Chairman of the Personnel, Pension and Insurance Committee, appointed a subcommittee which was charged to interview three finalists who responded to the District's Request for Proposal 2015R-10 Pension Investment Consulting Services. As a result of conducting interviews on June 12, 2015 with the three finalists and scoring each firm based upon their presentations and proposals, it is the recommendation of the sub-committee that Dahab Associates, Inc. be awarded the contract to represent the District as Pension Investment Consultant.

At a meeting of the Personnel, Pension and Insurance Committee held on June 29, 2015, it was:

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

Resolved: That the Chief Executive Office of the Metropolitan District be authorized to enter into an agreement with the firm of Dahab Associates, based upon the approved fee schedule for a period of three (3) years with an option to extend for two (2) additional one (1) year periods and

Further

Resolved: That DAHAB Associates be authorized, with oversight by staff, to issue a Request for Qualifications/Proposals (RFQP) for a Pension Custodial Trustee for the MDC Pension Plan Investments. Upon review of the responses, a list of qualified candidates will be presented to the Personnel, Pension & Insurance Committee for final selection of the Pension Custodial Trustee.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
RATIFICATION OF COLLECTIVE LOCAL 184 BARGAINING AGREEMENTS**

TO: District Board July 13, 2015

From: Personnel, Pension and Insurance Committee

The management negotiation team started contract negotiations with all three of the affiliated units of COUNCIL 4, AFSCME, in Fall of 2014. Attached is the tentative agreement reached with Local 184. Local 184, as the largest bargaining unit, represents the operational and maintenance employees.

The key elements of this tentative agreement with Local 184 include:

- Medical Premium Share increases to 15% of Cost for existing employees with a proviso for new employees contributing three per cent higher than existing employees;
- Elimination and combination of key job titles to facilitate a more generic approach – the action will provide ease in assignments while saving overtime monies;
- Four year term (January 1, 2015, through December 31, 2018);
- Greater OPEB contributions for new employees, increasing from 0.5% to 1.0%;
- Greater pension contributions for new employees, increasing from 5% to 7%;
- New employees must attain 10 years of service in order to be eligible for retiree medical;
- Prospect of contract re-opener (benefits and wages) to address Excise Tax (affordable Health Care Act) in 2017;
- Pension moratorium until December 31, 2020;
- All pending grievances and prohibitive practice complaints shall be withdrawn with prejudice;
- Moratorium on reclassification requests through term of contract;
- General wage increase of 2.5% for each of the four contract years, retroactive to January 1, 2015; and
- Unilateral right to contract grass cutting in parks and at pump stations;

The bargaining unit has already voted to accept the tentative contract settlement agreement.

Staff and the negotiating committee is recommending that the contract settlement agreement be approved.

At a meeting of the Personnel, Pension and Insurance Committee held on July 13, 2015, it was:

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

RESOLVED: That the Chief Executive Officer be authorized to execute a Collective Bargaining Agreement with Local 184, AFSCME, and specifically to apply the terms of the contract settlement agreement reached on May 19, 2015.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
RATIFICATION OF LOCAL 1026 COLLECTIVE BARGAINING AGREEMENTS**

TO: District Board July 13, 2015

From: Personnel, Pension and Insurance Committee

The management negotiation team started contract negotiations with all three of the affiliated units of COUNCIL 4, AFSCME, in Fall of 2014. Attached is the tentative agreement reached with Local 1026. Local 184, as the largest bargaining unit, represents the operational and maintenance employees.

The key elements of this tentative agreement with Local 184 include:

- Medical Premium Share increases to 15% of Cost for existing employees with a proviso for new employees contributing three per cent higher than existing employees;
- Elimination and combination of various job titles;
- Four year term (January 1, 2015, through December 31, 2018);
- Greater OPEB contributions for new employees, increasing from 0.5% to 1.0%;

- Greater pension contributions for new employees, increasing from 5% to 7%;
- New employees must attain 10 years of service in order to be eligible for retiree medical;
- Prospect of contract re-opener (benefits and wages) to address Excise Tax (affordable Health Care Act) in 2017;
- Pension moratorium until December 31, 2020;
- All pending grievances and prohibitive practice complaints shall be withdrawn with prejudice;
- Moratorium on reclassification requests through term of contract; and
- General wage increase of 2.5% for each of the four contract years, retroactive to January 1, 2015.

The bargaining unit has already voted to accept the tentative contract settlement agreement.

Staff and the negotiating committee is recommending that the contract settlement agreement be approved.

At a meeting of the Personnel, Pension and Insurance Committee held on July 13, 2015, it was:

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

RESOLVED: That the Chief Executive Officer be authorized to execute a Collective Bargaining Agreement with Local 184, AFSCME, and specifically to apply the terms of the contract settlement agreement reached on May 19, 2015.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
STAFF UPDATE ON NEGOTIATIONS WITH LOCAL 3713
RE: SUCCESSOR COLLECTIVE BARGAINING AGREEMENT**

EXECUTIVE SESSION

At 7:06 P.M., Chairman DiBella requested an executive session.

On motion made by Commissioner Taylor and duly seconded, the District Board entered into executive session in order to discuss collective bargaining negotiations with Local 3713.

Those in attendance during the executive session:

Commissioners Andrew Adil, Mary Anne Charron, Donald M. Currey, Timothy Curtis, William A. DiBella, Allen Hoffman, Joseph Klett, Maureen Magnan, Alphonse Marotta, James S. Needham, Mark A. Pappa, J. Lawrence Price, Albert F. Reichin, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino; Attorneys Christopher R. Stone and R. Bartley Halloran; Scott Jellison; John M. Zinzarella; Erin Ryan and Robert Zaik.

RECONVENE

At 7:20 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Currey and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
CHANGES TO EXEMPT & EXCLUDED EMPLOYEES' WAGES AND BENEFITS**

TO: District Board July 13, 2015

From: Personnel, Pension and Insurance Committee

The management negotiation team has entered into tentative agreements with two of the MDC's three collective bargaining units – Local 184 and Local 1026 of AFSCME Council 4. Those agreements, previously approved by the members of these collective bargaining units, have been or will be presented to the Board for consideration, approval or rejection. Consistent with longstanding practice, the financial terms of collective bargaining agreements are customarily and similarly provided to exempt and excluded employees (to include unclassified employees). Provided the MDC Board of Commissioners approves the tentative agreements with Locals 184 and 1026, and specifically reserving the right to make further changes in the terms and conditions of employment of exempt and excluded employees, staff recommends adoption of the following resolution relating to the wages and benefits of exempt and excluded employees:

At a meeting of the Personnel, Pension and Insurance Committee held on July 13, 2015, it was:

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

RESOLVED: That the wages and benefits for exempt and excluded employees be modified as follows:

1. Subject to future changes in medical benefits or costs with the MDC's collective bargaining units, the medical benefits for all E&E employees shall remain intact with no changes save for the Premium Share Adjustments detailed below:

<u>Existing E&E Employees:</u>	<u>Premium Share Participation:</u>
January 1, 2015 through October 3, 2015	12% of Cost;
October 4, 2015 through December 31, 2016	14% of Cost; and
January 1, 2017 through December 31, 2018	15% of Cost;
<u>New E&E Employees Hired after Oct 4, 2015</u>	<u>Premium Share Participation:</u>
October 4, 2015 through December 31, 2016	17% of Cost; and
January 1, 2017, through December 31, 2018	18% of Cost

For those E&E employees who smoke the Premium Share Participation shall be 3% higher than that specified above for the applicable timeframes.

2. New E&E employees hired after October 4, 2015 shall contribute 7% of regular earnings for Pension benefits. Existing E&E employees shall continue to contribute 5% of regular earnings for Pension benefits.
3. Existing E&E employee shall continue to contribute .5% (one half per cent) of regular earnings into an OPEB (Other Post-Employment Benefits) fund.
4. General Wage Adjustments shall be applied as follows:

December 28, 2014 2.5% Schedule Adjustment;
(Retroactive for all E&E employees on the active payroll as of the date of passage of this resolution and provided the MDC Board of Commissioners approves the tentative agreements with Locals 184 and 1026)

December 27, 2015 2.5% Schedule Adjustment;
January 1, 2017 2.5% Schedule Adjustment; and
December 31, 2017 2.5% Schedule Adjustment.

5. New E&E employees hired after October 4, 2015 shall contribute 1.0% (one per cent) of regular earnings into an OPEB (Other Post-Employment Benefits) fund.

6. New E&E employees hired after October 4, 2015 must attain 10 years of service in order to be eligible for retiree medical.
7. Moratorium on reclassification requests through January 1, 2019.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
CHANGES TO EXEMPT & EXCLUDED EMPLOYEES' PAID TIME OFF BENEFITS**

TO: District Board July 13, 2015

From: Personnel, Pension and Insurance Committee

In order to create a contemporary benefits package necessary to attract, recruit, and retain professional employees in Exempt and Excluded and unclassified positions, the management team is recommending the following changes to the paid time off and benefits package offered to Exempt and Excluded and unclassified employees:

At a meeting of the Personnel, Pension and Insurance Committee held on July 13, 2015, it was:

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

RESOLVED: That the paid time off and benefits package for Exempt and Excluded and unclassified employees be modified as follows:

1. Sick Time
 - a. Effective July 30, 2015, all existing E&E sick time bank balances will be frozen; employees will be able to access this time only for the 25% payout upon retirement or leaving the District after ten (10) years of service.
 - b. Effective August 1, 2015, E&E and unclassified employees will no longer accrue one and one quarter (1.25) sick days per month.

- c. E&E and unclassified employees will be loaded eight (8) sick days on January 1 of each year. These days can be rolled from year to year, to a maximum of forty (40) accrued days. These days are not eligible for payout upon retirement or leaving the District.
 - d. Because the policy is taking effect mid-year, all E&E and unclassified employees' time banks will be loaded with five (5) sick days on August 1, 2015.
 - e. New employees who start after January 1 will be loaded four (4) hours of sick time for each full month they will work in that calendar year.
 - f. Upon exhaustion of his/her sick time, an employee, with proper medical validation, may petition Human Resources, with an appeal to Legal, for an additional five (5) days of sick time in a calendar year.
2. Short-term and Long-term Disability Insurance
 - a. The District will provide E&E and unclassified employees with employer-paid short-term disability insurance.
 - i. This benefit provides an employee with sixty percent (60%) of his or her salary, to a maximum of three thousand dollars (\$3,000) per week, for the duration of the disabling injury or illness, to a maximum of twelve (12) weeks.
 - ii. This benefit becomes effective on the eighth (8th) calendar day after the onset of the injury or illness.
 - b. The District will provide E&E and unclassified employees with employer-paid long-term disability insurance.
 - i. This benefit provides an employee with fifty percent (50%) of his or her salary, to a maximum of thirteen thousand dollars (\$13,000) per month.
 - ii. This benefit commences on the ninetieth (90th) day after the onset of the injury or illness.
 - iii. This duration of the benefit is contingent upon the age of the employee, the type of illness or injury (with limitations for disability due to substance abuse) and the potential for future employment opportunities.
3. Vacation Time
 - a. New E&E and unclassified employees hired after January 1 will receive six (6) hours of vacation time for each full month they will work in that calendar year.
 - b. The new hire will be eligible for ten (10) vacation days to be loaded into his or her time bank balance on January 1 of the next year.
4. Inclement Weather Days
 - a. E&E and unclassified employees will be loaded three (3) days on January 1 to be used for inclement weather.

- b. Because the policy is taking effect mid-year, E&E and unclassified employees will receive one (1) inclement weather day on August 1, 2015.
 - c. These days cannot be rolled from year to year and are not eligible for payout upon leaving the District.
5. Parental Leave
- a. Maternity Leave
 - i. In order to provide a paid maternity leave, the District will pay the birth mother employee 100% of her salary for the remaining balance of the twelve (12) week Family Medical Leave after she exhausts her short-term disability insurance.
 - ii. After exhausting the twelve (12) week Family Medical Leave, the birth mother employee will have the option of taking up to an additional twelve (12) weeks of unpaid time to stay at home to care for the child.
 - b. Parental Leave
 - i. Upon the birth of a child, the placement of a foster child, or adoption, the non-birth parent employee will be eligible for ten (10) days of paid parental leave.
6. Spousal Buyout for Health Insurance
- a. If an employee is covering his/her spouse with District health insurance, but the spouse is eligible for insurance through his/her own employer, the District will pay the employee one thousand dollars (\$1,000) in four (4) quarterly installments of two hundred and fifty dollars (\$250), if the spouse elects to take his/her own employer's health insurance.
 - b. This plan will take effect January 1, 2016, and the employee must drop his/her eligible dependent spouse during open enrollment to participate.
7. Work from Home Policy
- a. E&E and unclassified employees may, ~~at the sole discretion of their supervisors~~ **subject to approval by the Director of Human Resources**, request to work from home under specific circumstances, such as inclement weather or family illness.
 - b. Requests must be pre-approved and employee must sign the work from home policy to participate in the program.
 - c. The program may be terminated at any time, at the sole discretion of the District management team.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Adil and duly seconded, the report was received and the resolution adopted, as amended by the Personnel, Pension & Insurance Committee, by unanimous vote of those present.

**BOARD OF FINANCE
CAPITAL IMPROVEMENT PROJECT**

To: District Board

July 13, 2015

From: Board of Finance

Description

The project will include but not be limited to the upgrade and/or replacement of computer security software and hardware and any other security enhancements necessary to protect the District from unauthorized access. To build infrastructure to maintain business continuity of data, hardware and software critical for the business in the event of a natural or human-caused disaster. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Purpose

To ensure the continued efficient and effective operation of the District's business applications and enhance the benefits of the system.

Program - Information Technology Security Improvements

Amount
\$5,000,000

Project #
COM.CFP171.01

Fund
5677

Bond counsel prepared the following resolution for consideration by the Board of Finance:

At a meeting of the Board of Finance held on July 13, 2015, it was:

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

RESOLUTION AMENDING AND RESTATING A RESOLUTION APPROVED AT A MEETING OF THE DISTRICT BOARD HELD ON DECEMBER 12, 2011 ENTITLED:

RESOLUTION APPROPRIATING \$5,000,000 FOR INFORMATION TECHNOLOGY SECURITY IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$5,000,000 is hereby appropriated for the upgrade and/or replacement of computer security software and hardware and other security enhancements necessary to protect the District's computer systems from unauthorized access, including the building of infrastructure to maintain business continuity of data, hardware and software critical for the business in the event of a natural or human-caused disaster, and for legal, administrative and other financing costs related thereto.

Section 2. To meet said appropriation \$5,000,000 bonds of the District are authorized to be issued in one or more series in accordance with applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, "Connecticut laws"), and the District's Charter. Said bonds shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or the Vice-Chairman, and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The bonds may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board, in accordance with Connecticut laws and the District's Charter. Each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with and that such bond is within every debt and other limit prescribed by law. The aggregate principal amount of the bonds to be issued, the form of issuance as serial, term or discount bonds, the dated date, final maturity, annual installments of principal, whether interest on the bonds will be fixed or variable, the rate or rates of interest, or method of determining interest rates thereon, whether such interest shall be excluded or included in gross income for federal income tax purposes, denominations, terms of redemption, if any, the date, time of issue and sale and all other terms, details and particulars of such bonds shall be determined by the District Board, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. It is hereby found and determined that the issuance of any such bonds the interest on which is included in gross income for federal income tax purposes is in the public interest. The bonds may be sold by competitive bid or negotiated sale, as determined by the District Board. If sold by competitive bid, a notice of sale, or summary thereof, shall be published at least five (5) days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If

sold by negotiated sale, the form and details of the bond purchase agreement for the sale of the bonds shall be determined by the District Board.

Section 3. The Treasurer and the Deputy Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes or certificates of indebtedness evidencing such borrowings may be sold by competitive bid or negotiated sale, as determined by the Treasurer or Deputy Treasurer, in such manner as shall be determined by said Officers. Said notes or certificates of indebtedness shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or the Vice-Chairman, and the Treasurer or Deputy Treasurer, and bear the District seal or a facsimile thereof. The notes or certificates of indebtedness may be secured by the full faith and credit of the District and/ or by special revenues of the District pledged therefore by the District Board in accordance with Connecticut laws and the District's Charter. Each of the notes shall recite that every requirement of law relating to its issue has been duly complied with and that such note is within every debt and other limit prescribed by law. The net interest cost on such notes or certificates of indebtedness, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on such notes or certificates of indebtedness then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 4. In connection with the issuance of the bonds, notes or certificates of indebtedness authorized hereunder ("Authorized Obligations"), the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to obtain, standby bond purchase agreements, letters of credit, lines of credit, financial guaranty insurance policies, guarantees of the District or third parties, surety agreements, or any similar agreements ("Credit Facilities") with one or more financial institutions providing Credit Facilities ("Credit Facility Providers") to provide for additional security for and the purchase upon tender of the Authorized Obligations, if any, under circumstances set forth in the Indentures (defined herein). Credit Facilities shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or the Vice-Chairman, and the Treasurer or Deputy Treasurer.

Section 5. In connection with the issuance of Authorized Obligations, the District Board is hereby authorized to approve the terms and conditions of indentures of trust or other instruments of trust ("Indentures") with commercial banks or national banking associations with trust powers or trust companies to be appointed by the Chairman, or the Vice-Chairman, and the Treasurer or Deputy Treasurer ("Trustees"), which provide for, among other things, the rate of rates of interest, or method of determining interest rates thereon, procedures for conducting auctions in an auction rate mode, the denominations, the tender rights of holders, if any, the rights of redemption and redemption prices, the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District necessary to issue the variable rate

bonds, and the execution of various other instruments. Indentures shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or the Vice-Chairman, and the Treasurer or Deputy Treasurer.

Section 6. In connection with the issuance of Authorized Obligations bearing interest at variable interest rates, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to enter into, remarketing agreements, broker-dealer agreements, auction agency agreements and other agreements (the “Reoffering Agreements”) with remarketing agents, investment banking firms or other financial institutions to be appointed by the Chairman, or the Vice-Chairman, and the Treasurer or Deputy Treasurer (“Reoffering Agents”), which provide for, among other things, the terms and conditions for reoffering Authorized Obligations bearing interest at variable interest rates, the Reoffering Agents’ compensation and the disclosure of the District’s financial condition. Reoffering Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or the Vice-Chairman, and the Treasurer or Deputy Treasurer.

Section 7. In connection with the issuance of Authorized Obligations, if permitted by Connecticut laws and the District’s Charter, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to obtain, an interest rate swap agreement in the form of the International Swaps and Derivatives Association, Inc. (ISDA) Master Agreement, together with applicable annexes, schedules and confirmations thereto, contracts to manage interest rate risk, including interest rate caps, options, puts, call or similar arrangements, or such other agreements permitted by Connecticut laws and the District’s Charter (“Swap Agreements”), with one or more counterparties to be selected by the Chairman, or the Vice-Chairman, and Treasurer or Deputy Treasurer, as Swap Provider (the “Swap Providers”), which provides for, among other things, the effective date or dates of the Swap Agreements, the rate of interest to be paid by the District to the Swap Providers on the principal amount of the bonds (which may be a fixed rate or a variable rate based on an index determined by the Chairman, or the Vice-Chairman, and Treasurer or Deputy Treasurer), the rate of interest to be received by the District from the Swap Providers (which may be a fixed rate or a variable rate based on an index determined by the Chairman, or the Vice-Chairman, and Treasurer or Deputy Treasurer), the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District and the execution of various other instruments. Swap Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or the Vice-Chairman, and the Treasurer or Deputy Treasurer. To the extent provided by Connecticut laws, the full faith and credit of the District may be pledged to any and all payments to be made by the District with respect to the Swap Agreements, including, any termination or netting payments to be made by the District.

Section 8. The Chairman, or the Vice-Chairman, and Treasurer or Deputy Treasurer are hereby authorized, on behalf of the District, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the “MSRB”) and

to provide notices to the MSRB of material events as enumerated in the Securities and Exchange Commission Securities Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds, notes and certificates of indebtedness authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 9. The District hereby expresses its official intent pursuant to Treasury Regulations Section 1.150-2 to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this Resolution in connection with the project with the proceeds of Authorized Obligations. Said obligations shall be issued to reimburse such expenditures not later than 18 months after the date of the expenditure or such later date the Regulations may authorize. The District hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Chairman, or the Vice-Chairman, and the Treasurer or Deputy Treasurer are each individually authorized to pay project expenses in accordance herewith pending the issuance of the Authorized Obligations. This Section is included herein solely for purposes of compliance with Treasury Regulations Section 1.150-2 and may not be used or relied on for any other purpose.

Section 10. In connection with the issuance of Authorized Obligations, the District Board is hereby authorized to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary to enable bond counsel to render its opinions as to the validity of the said obligations and the exclusion of the interest thereon, if applicable, from gross income for federal income tax purposes, (b) make, execute and deliver all such additional and supplemental documents, including, but not limited to any tax compliance agreements, tax certificates, tax forms, investment agreements or assignments, and (c) do and perform such acts and take such actions as may be necessary or required for the consummation of the transactions provided for and contemplated by this Resolution.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

Without objection, Agenda Item 11 "Appointment of Director of Information Services" was postponed.

AUTHORIZE EXPENDITURES TO IMPROVE DATA DISASTER RECOVERY

To: District Board

July 13, 2015

The District recently hired Robert Schwarm to serve as the Interim Director of Information Services. Upon review of the District's IT capabilities and vulnerabilities, the Interim Director of Information Services advised the Chief Executive Officer that there exists an immediate and exigent need to improve the District's data disaster recovery and business continuity capabilities. To achieve that end, the District requires an off-site data center, including the necessary hardware and equipment to provide a matching system compatible with the District's primary data center. In a Memorandum dated July 13, 2015, the Chief Executive Officer declared to the District Board that an emergency exists as contemplated by General Ordinance G8d and that the circumstances warranted immediate action be taken outside the ordinary procurement processes of the District.

Section G8d of the General Ordinances authorizes the District to spend up to \$1 million in its efforts to respond to the emergency situation. It is estimated that the cost of this initiative will be approximately \$2,200,000. Since it is anticipated that the aggregate cost of responding to this situation in a permanent manner is expected to exceed \$1 million, District staff requests the adoption of the following resolution formally declaring the emergency, and pursuant thereto, authorization to expend certain sums in response, as provided by Section 2-16 of the District Charter as amended by Public Act 08 – 09.

Resolved That, pursuant to Section 2-16 the Metropolitan District Charter, the Board of Commissioners of the Metropolitan District hereby declares that an emergency exists related to the District's data disaster recovery and business continuity capabilities;

Be it Further Resolved That upon declaration of said emergency, and pursuant to Section 2-16 of the MDC Charter, District staff is hereby authorized to expend those funds necessary for the purchase of goods and services without competitive bidding in order to take immediate actions necessary to respond to and resolve the current data disaster recovery and business continuity vulnerabilities;

Be it Further Resolved That the Director of Procurement is hereby authorized on behalf of the District to participate in and utilize contracts established by public agencies and/or cooperative purchasing organizations through a procurement process consistent with the District's, and to enter into and execute any and all documents, including but not limited to agreements, contracts and participating addenda, necessary to effect and consummate such purchase of goods or services.

Be it Notwithstanding anything to the contrary contained herein, District staff

Further Resolved shall request offers from as many potential sources as is practicable.

Be it Further Resolved That District staff shall report to the District Board as necessary at subsequent meetings as to the status of the project.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**CONSIDERATION & POTENTIAL ACTION AUTHORIZING THE
COMMENCEMENT OF CONDEMNATION PROCEEDINGS TO SECURE FEE
SIMPLE INTEREST IN PROPERTY LOCATED AT 484 FRANKLIN AVENUE,
HARTFORD, CONNECTICUT IN FURTHERANCE OF THE CLEAN WATER
PROJECT**

To: District Board

July 13, 2015

As part for the Clean Water Project (CWP), and specifically the South Hartford Conveyance Tunnel (SHCT), the MDC must secure certain rights to real properties along the tunnel route. The real property located at 484 Franklin Avenue, Hartford, Connecticut has been identified as a location for a drop shaft and odor control facility.

MDC staff has been negotiating with the property owner directly for several months, and most recently with her counsel, in an attempt to reach an agreed upon purchase price. The average fair market value as determined by the two independent appraisers commissioned by the MDC is \$127,000.00. The owner of the property, Silvia Miceli, has secured an appraisal indicating a fair market value of \$233,000.00. There does not appear to be any reasonable prospect of a voluntary transfer of title, and a condemnation is the only alternative. MDC engineers and consultants have determined that this property is an essential acquisition for the CWP.

The subject parcel and owner information is as follows:

Silvia Miceli
484 Franklin Avenue
Hartford, Connecticut

The compensation of \$127,000.00 to be paid to the affected property owner represents the average appraised value as independently determined by two Connecticut licensed appraisers.

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

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 the condemnation proceeding on the aforementioned private-owned property, to acquire a fee simple interest in such property in furtherance of the Clean Water Project.

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

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

EMERGENCY REPAIR OF WATER MAIN IN WEST HARTFORD, CONNECTICUT

EXECUTIVE SESSION

At 7:36 P.M., Chairman DiBella requested an executive session.

On motion made by Commissioner Magnan and duly seconded, the District Board entered into executive session due to security concerns related to the District's infrastructure and distribution system in order to discuss the emergency repair of a water main in West Hartford, CT.

Those in attendance during the executive session:

Commissioners Andrew Adil, Mary Anne Charron, Donald M. Currey, Timothy Curtis, William A. DiBella, Allen Hoffman, Joseph Klett, Maureen Magnan, Alphonse Marotta, James S. Needham, Mark A. Pappa, J. Lawrence

Price, Albert F. Reichin, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino; Attorneys Christopher R. Stone and R. Bartley Halloran; Scott Jellison; John M. Zinzarella; Gerald J. Lukowski and Sue Negrelli.

RECONVENE

At 7:38 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Magnan and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

SETTLEMENT OF PENDING LITIGATION CLAIM

EXECUTIVE SESSION

At 7:38 P.M., Chairman DiBella requested an executive session.

On motion made by Commissioner Adil and duly seconded, the District Board entered into executive session in order to discuss pending litigation.

Those in attendance during the executive session:

Commissioners Andrew Adil, Mary Anne Charron, Donald M. Currey, Timothy Curtis, William A. DiBella, Allen Hoffman, Joseph Klett, Maureen Magnan, Alphonse Marotta, James S. Needham, Mark A. Pappa, J. Lawrence Price, Albert F. Reichin, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino; Attorneys John S. Mirtle, Christopher R. Stone and R. Bartley Halloran; Scott Jellison and John M. Zinzarella.

RECONVENE

At 7:43 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Adil and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

To: District Board

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 settle the lawsuit captioned *Lorenza Dunlap v. Metropolitan District Commission.*, Docket No. HHD-CV13-6046059 ("*Litigation*"), for the total sum of \$60,000.00, subject to the proper execution of any and all documents reasonably necessary to effect said settlement, including but not

limited to a general release containing a confidentiality provision from the plaintiff, and formal withdrawal of said action.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

ADJOURNMENT

The meeting was adjourned at 7:46 P.M.

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval