

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street

Hartford, Connecticut 06103

Wednesday, September 7, 2022

PRESENT: Commissioners Andrew Adil, John Avedisian, Avery Buell, Richard Bush, Donald Currey, William A. DiBella, Peter Gardow, Joan Gentile, Jean Holloway, Allen Hoffman, Byron Lester, Diane Lewis, Maureen Magnan, Jacqueline Mandyck, Dominic Pane, Bhupen Patel, Alvin Taylor, Calixto Torres and James Woulfe (19)

REMOTE ATTENDANCE: Commissioners James Healy, Christian Hoheb, David Ionno, Mary LaChance and Richard W. Vicino (5)

ABSENT: Commissioners David Drake, Michael Maniscalco, Alphonse Marotta, Jon Petoskey, Pasquale J. Salemi, and New Britain Special Representative Michael Carrier (6)

ALSO PRESENT: Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Robert Barron, Chief Financial Officer
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer
Sue Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Tom Tyler, Director of Facilities
Jamie Harlow, Director of Human Resources
David Ruttly, Director of Operations
Mike Curley, Manager of Technical Services
Jason Waterbury, Manager of Engineering Services
Tra Phan, Controller (Remote Attendance)
David Baker, IT Consultant (Remote attendance)
Carrie Blardo, Assistant to the Chief Operating Officer
Victoria Escoriza, Executive Assistant
Joseph Szerejko, Independent Consumer Advocate (Remote attendance)

CALL TO ORDER

The meeting was called to order by District Chairman William DiBella at 5:41 PM

ROLL CALL AND QUORUM

The District Clerk called the roll and informed District Chairman William 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

On motion made by Commissioner Taylor and duly seconded, the meeting minutes of August 1, 2022 were approved.

Commissioner Adil abstained.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Independent Consumer Advocate Joe Szerejko spoke regarding agenda item #13A, and stressed the importance of the public outreach process identified in paragraph B4.

REPORT FROM DISTRICT CHAIRMAN

No report.

REPORT FROM CHIEF EXECUTIVE OFFICER

Chief Executive Officer Scott Jellison shared sad news of a longtime employee, Ralph Halvorsen, who recently passed away. He also spoke regarding a Department of Transportation contractor who hit a 54" transmission main, and relining approximately 1,000' of sewers in the Linbrook Road area of West Hartford.

REPORT FROM DISTRICT COUNSEL

District Counsel Christopher Stone spoke regarding the Colebrook motion for declaratory action with DPH and is expecting the hearing officer to schedule a hearing in December. He also spoke regarding the Marriott appeal with the Appellate Court hopefully issuing a decision by year end, as well as the Linbrook claim related to subsequent liner failure and the DRB Tunnel Claim.

COMMITTEE REFERRALS

Without objection, the Code of Ethics Acknowledgement and Conflict of Interest Disclosure forms were referred to the Committee on MDC Government.

Without objection, the filling of committee vacancies was referred to the Committee on Organization.

2022 CYBER YANKEE EXERCISE

Robert Schwarm, Director of Information Technology, provided a presentation on the 2022 Cyber Yankee Exercise.

**WATER BUREAU
COLEMAN ROAD, GLASTONBURY
LAYOUT AND ASSESSMENT FOR WATER MAIN EXTENSION**

To: District Board

September 7, 2022

From: The Water Bureau

In 2006, the District received a petition from a property owner on Coleman Road in Glastonbury requesting that a public water main be installed in the street to replace a well shared by four (4) homes which is unreliable, contains contaminants including radon and uranium, and costly to maintain. In 2019, the Town of Glastonbury requested the District to identify potential water main projects within Glastonbury that could be constructed on an accelerated basis and Coleman Road was included in a project along with adjacent streets Chestnut Hill Road and Lenti Terrace. A public hearing was held on the project on June 26, 2019. The four properties with the shared well on Coleman Road supported the project in 2019 but based on strong opposition to the proposed project from residents on Chestnut Hill Road and Lenti Terrace, the Water Bureau did not vote to authorize construction of the water mains and assessments on the properties. The four properties were forced to remain with a shared well. In July 2022, a property owner on Coleman Road contacted the District again about connecting to MDC water due to the shared well on Coleman Road frequently running dry.

Due to the condition of the shared well, the District is proposing extending the existing MDC water main in Coleman Road approximately one hundred twenty-five feet (125ft) to the south to reach a parcel of land containing the shared well. There are four (4) properties that this proposed project will serve: 313 Chestnut Hill Road, 8 Coleman Road, 24 Moseley Terrace and 20 Moseley Terrace. Three of the four properties will be subject to direct assessment and 24 Moseley Terrace will be subject to connection charges. One of the properties subject to direct assessment has new owners that did not receive the required notice of an assessment during the 2019 public hearing process but the current owners have signed a waiver of their rights for notice of an assessment and public hearing in an effort to expedite this project for construction this year. The unassessed parcel that has the shared well is unbuildable due to lot size.

The estimated cost and benefit summary for this project is as follows:

ESTIMATED CONSTRUCTION COST:

125 feet of 8-inch	\$ 77,500.00	
Contingencies (10%)	<u>\$ 7,750.00</u>	
Total Estimated Construction Cost	\$ 85,250.00	\$ 85,250.00

ESTIMATED OTHER COST:

Blueprints, Maps & Charts	\$ 500.00	
Work by District Forces	<u>\$ 10,000.00</u>	
Total Estimated Other Costs	\$ 10,500.00	<u>\$ 10,500.00</u>

TOTAL ESTIMATED PROJECT COST: \$ 95,750.00

The source of funding summary is as follows:

Estimated Direct Assessments and Connection Charges to be Accrued to the Assessable Water Fund	\$ 54,790.30
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Deficit to be collected from the non-member capital improvement surcharge or reimbursed by the Town of Glastonbury	<u>\$ 40,959.70</u>
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TOTAL ESTIMATED PROJECT COST: \$ 95,750.00

As the Bureau is aware, Ordinance W1f requires that any deficits incurred on capital improvements in non-member towns be added as a surcharge to each user's water bill in that non-member town. Therefore, the estimated deficit of \$40,959.70 will be incurred by the ratepayers in the Town of Glastonbury, or by the Town of Glastonbury itself if the Town so chooses, before the end of the District's fiscal year during which construction takes place.

At a meeting of the Water Bureau held on August 22, 2022, it was:

VOTED: To transmit to the District Board a resolution to layout and authorize construction of a Class II water main in portions of Coleman Road, Glastonbury, as set forth in the layout and schedule of assessments by the Water Bureau, and payment for the same is authorized from the Assessable Water Fund.

AND

VOTED: That the Controller be requested to make tentative allocations for this project pending passage of the layout by the District Board, and pending determination of actual costs, in accordance with the following schedule, which schedule is based on the Engineer's estimated cost and on the estimated assessment, as follows:

Direct Assessments and Connection Charges to be Accrued to the Assessable Water Fund	\$ 54,790.30
Deficit to be collected from the non-member capital improvement surcharge or reimbursed by the Town of Glastonbury	<u>\$ 40,959.70</u>
Total Estimated Project Cost:	\$ 95,750.00

AND

VOTED: That after completion of the construction of a water main in portions of Coleman Road, Glastonbury, a final schedule of assessments based on the following preliminary assessments using the schedule of flat rates adopted December 10, 2018 and effective January 1, 2019 at \$95.00 per front foot or adjusted front foot, be declared due and payable and published with notice to any property owner aggrieved by these proceedings that he or she may appeal from the actions of The Metropolitan District and its Water Bureau to the Superior Court.

<u>Property now or Formerly of</u>	<u>Street Number</u>	<u>Frontage</u>	<u>Adjusted Frontage</u>	<u>Assessment</u>
<u>Chestnut Hill Road- North Side</u>				
Harold W. & Adele C. Finer	313	128.50	(120.00)	\$11,400.00
<u>Coleman Road- East Side</u>				
Kyle Candia-Bovi & Valerie Zalman	8	176.74		\$16,790.30
<u>Moseley Terrace- South Easterly Side</u>				
Diana & Timothy Kipp	20	70	(130.00)	\$12,350.00

AND

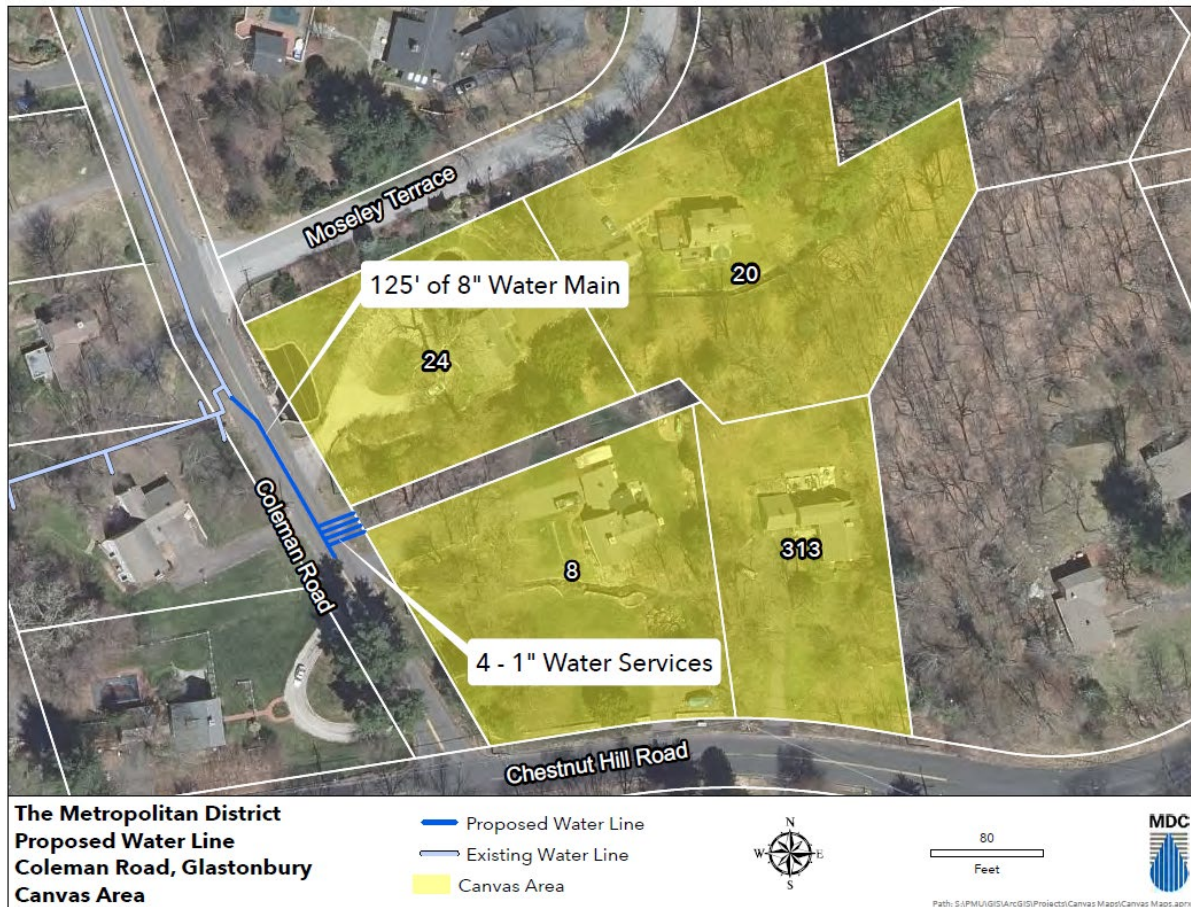
VOTED: That after completion of the construction of a water main in portions of Coleman Road, Glastonbury, the following property shall owe connection charges at the prevailing rates at the time of connection to the District's water main. The connection charges based on the current schedule of flat rates adopted December 10, 2018 and effective January 1, 2019 at \$95.00 per front foot or adjusted front foot, would be:

<u>Property now or Formerly of</u>	<u>Street Number</u>	<u>Frontage</u>	<u>Adjusted Frontage</u>	<u>Connection Charge</u>
<u>Moseley Terrace- South Side</u> Jean Hanna Holden	24	70	(150.00)	\$14,250.00

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk



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

Without objection, resolutions #12Ai “Water Capital Projects”, #12Aii “Sewer Capital Projects” and #12Aiii “Combined Capital Projects”, were consolidated and considered together.

BOARD OF FINANCE
CLOSEOUT OF WATER, SEWER, COMBINED & CLEAN WATER PROJECTS
WATER CAPITAL PROJECTS

To: District Board

September 7, 2022

From: Board of Finance

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Project Definition	Year	BA	Project Description	Town	Budget	Expended Amount	Remaining Balance (UnAuthorize)
C-10002/WAT.CW1244.01	2010	2120	2010 General Purpose Water	Various	\$ 2,600,902.68	\$ 2,419,291.85	\$ 181,610.83
C-10004/WAT.CW1266.01	2010	2120	Dam Safety Res #1	Bloomfield	4,315,000.00	943,461.61	3,371,538.39
	2010 Total				6,915,902.68	3,362,753.46	3,553,149.22
C-12002/WAT.CW1334.01	2012	2120	Standpipe & AG Storg Tanks	East Hartford	4,224,000.00	583,508.70	3,640,491.30
C-12003/WAT.CW1344.01	2012	2120	2012 Gen Purp Water	Various	4,530,000.00	4,431,536.65	98,463.35
	2012 Total				8,754,000.00	5,015,045.35	3,738,954.65
C-13004/WAT.CW1370.01	2013	2120	Church St WM/Main to High	Hartford	4,570,000.00	319,460.75	4,250,539.25
	2013 Total				4,570,000.00	319,460.75	4,250,539.25
C-14009/WDS.TK0314.01	2014	2120	2014 Vexation Tanks Improv	MDC	3,300,000.00	154,892.08	3,145,107.92
	2014 Total				3,300,000.00	154,892.08	3,145,107.92
C-15001/WDS.DM0015.01	2015	2120	2015 General Purpose Water	Various	3,981,952.77	3,975,924.74	6,028.03
C-15003/WDS.TM0115.01	2015	2120	2015 Bond St WMR	Hartford	4,400,000.00	2,741,933.93	1,658,066.07
C-20006	2015	2120	2015 GPW - Trout Pond Dam - Massachusetts	MDC	18,047.23	18,047.23	-
	2015 Total				8,400,000.00	6,735,905.90	1,664,094.10
C-18003/WDS.DM0118.02	2018	2120	2018 Madison Ave WM Replac	Hartford	5,000,000.00	2,313,504.08	2,686,495.92
	2018 Total				5,000,000.00	2,313,504.08	2,686,495.92
C-19003/WDS.DM0019.02	2019	2120	2019 General Purpose Water	Various	500,000.00	483,557.67	16,442.33
C-19007/WDS.TM01519.01	2019	2120	2019 Bloomfield Transmission Extention	Bloomfield	6,000,000.00	4,185,910.47	1,814,089.53
C-20014	2019	2120	GPW- Farmington Ave WM Replacement	West Hartford	500,000.00	488,704.87	11,295.13
	2019 Total				7,000,000.00	5,158,173.01	1,841,826.99
C-20007	2020	2120	Long Hill Road Water Main	East Hartford/South Windsor	4,000,000.00	1,322,391.60	2,677,608.40
	2020 Total				4,000,000.00	1,322,391.60	2,677,608.40
	Grand Total				\$ 47,939,902.68	\$ 24,382,126.23	\$ 23,557,776.45

At a meeting of the Board of Finance held on August 10, 2022, it was:

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

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

SEWER CAPITAL PROJECTS

To: District Board

September 7, 2022

From: Board of Finance

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Project Definition	Year	BA	Project Description	Town	Budget	Expended Amount	Remaining Balance (UnAuthorize)
C-13011/WWA.CS1214.01	2013	2120	2013 General Purpose Sewer	Various	\$ 1,858,133.43	\$ 1,803,066.84	\$ 55,066.59
	2013 Total				1,858,133.43	1,803,066.84	55,066.59
C-14016/SCS.SR0014.02	2014	2110	2014 General Purpose Sewer	Various	5,000,000.00	4,716,982.49	283,017.51
	2014 Total				5,000,000.00	4,716,982.49	283,017.51
C-15006/SCS.PS0615.01	2015	2110	2015 PS Rplcw Rainbow Trnk	MDC	2,200,000.00	-	2,200,000.00
C-17016/SCS.SR0017.06	2015	2110	Sanitary Sewer Rebab Program	Bloomfield	3,600,000.00	3,600,000.00	-
C-20003	2015	2110	2015-GPS Northern Interceptor Main	East Hartford	301,791.00	298,186.45	3,604.55
	2015 Total				6,101,791.00	3,898,186.45	2,203,604.55
C-18013/SCS.SR0118.01	2017	2110	2018 Madison Ave Swr	Various	2,000,000.00	259,308.79	1,740,691.21
	2017 Total				2,000,000.00	259,308.79	1,740,691.21
C-18009/SCS.SR0018.01	2018	2110	CCTV Generated Sewer Construction	Various	3,500,000.00	3,400,819.17	99,180.83
C-21002/SCS.SR0118.01	2018	2110	Nook Farm Trunk/Flower Street Sewer Reha	Hartford	600,000.00	-	600,000.00
	2018 Total				4,100,000.00	3,400,819.17	699,180.83
C1H01	2020	2110	2020 Sewr Rehabilitation Program-Labor only	MDC	1,722,491.54	1,722,491.54	-
	2020 Total				1,722,491.54	1,722,491.54	-
	Grand Total				\$ 20,782,415.97	\$ 15,800,855.28	\$ 4,981,560.69

At a meeting of the Board of Finance on August 10, 2022, it was:

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

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

COMBINED CAPITAL PROJECTS

To: District Board

September 7, 2022

From: Board of Finance

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Project Definition	Year	BA	Project Description	Town	Budget	Expended Amount	Remaining Balance (UnAuthorize)
C-11005/COM.CFP161.01	2011	2130	Information Technology-Hardware	MDC	\$ 1,000,000.00	\$ 978,729.43	\$ 21,270.57
	2011 Total				1,000,000.00	978,729.43	21,270.57
C-15029/COM.BL0015.01	2015	2130	2015 Administrative Facilities Improvement Program	MDC	2,000,000.00	1,997,549.49	2,450.51
	2015 Total				2,000,000.00	1,997,549.49	2,450.51
C-17020/COM.BL0017.01	2017	2130	2017 Administration Facilities and Equipment Improvements	MDC	1,000,000.00	990,513.47	9,486.53
C-17021/COM.EQ0017.01	2017	2130	Information Technology-Upgrades	MDC	1,856,737.68	1,834,996.60	21,741.08
	2017 Total				2,856,737.68	2,825,510.07	31,227.61
C1H02	2021	2130	Survey & Construction	MDC	3,800,000.00	2,626,519.99	1,173,480.01
C1H03	2021	2130	Engineering Services	MDC	4,000,000.00	3,862,545.24	137,454.76
C1H04	2021	2130	Construction Services	MDC	2,000,000.00	1,530,229.63	469,770.37
C1H05	2021	2130	Technical Services	MDC	4,500,000.00	4,397,910.19	102,089.81
	2021 Total				14,300,000.00	12,417,205.05	1,882,794.95
	Grand Total				\$ 20,156,737.68	\$ 18,218,994.04	\$ 1,937,743.64

At a meeting of the Board of Finance on August 10, 2022, it was:

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

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Magnan and duly seconded, the reports for resolutions #12Ai "Water Capital Projects", #12Aii "Sewer Capital Projects" and #12Aiii "Combined Capital Projects", were received and the resolutions adopted by unanimous vote of those present.

**BOARD OF FINANCE
APPROVAL FOR STATE OF CONNECTICUT FINANCING
CLEAN WATER FUND 728C**

To: District Board September 7, 2022
From: Board of Finance

At the May 4, 2022 Board of Finance meeting, the committee approved a resolution to enter into Project Loan and Project Grant Agreement CWF No. 728-C. That resolution needs to be corrected in order to properly execute the Project Loan and Project Grant Agreement CWF No. 728-C.

At a Board of Finance meeting held on August 10, 2022, it was:

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

RESOLVED:

Section 1. The Chairman, or in his absence, the Vice Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer are authorized to execute and deliver the Project Loan and Project Grant Agreement CWF No. 728-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. 728-C in the aggregate amount not to exceed \$72,019,386.53 to fund the construction of screening and pump station facilities for the South Hartford Conveyance and Storage Tunnel (Contract #3). 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.

Section 3. To the extent that this resolution conflicts with any prior resolution adopted by the Board regarding CWF No. 728-C, including that resolution adopted by the Board of Finance on May 4, 2022 or the District Board on June 6, 2022, this resolution shall be controlling.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

Commissioner Buell entered the meeting at 6:24 PM

**BUREAU OF PUBLIC WORKS
CONSENT ORDER #COWRMU22002
2018 INTEGRATED PLAN/LONG TERM CONTROL PLAN**

To: District Board

From: Bureau of Public Works

On November 7, 2006 the District entered into Consent Order No. WC5434 with CT DEEP to implement actions to abate overflow from both sanitary and combined sewers throughout the District. In December 2012, the District submitted a required Long-Term Combined Sewer Overflow Control Plan update to CT DEEP which was approved in April, 2015. In 2012, the EPA developed an integrated planning framework that offered the opportunity for the regulated community to develop an integrated plan to meet multiple Clean Water Act requirements while also considering other infrastructure improvements and affordability issues, such as improvements to the District's drinking water system and associated costs. In 2019 the Water Infrastructure and Improvement Act became federal law and amended the Clean Water Act to include the integrated planning framework. In December 2018, per the Consent Order, the District submitted another update to its Long-Term Control Plan to CT DEEP. The update plan, titled Integrated Plan and Long-Term Control Plan ("2018 LTCP/IP"), incorporates an integrated planning concept and identifies the next iteration of actions with associated timelines for meeting the requirements of the CSO Control Policy and water quality standards.

CT DEEP has now completed its review of the 2018 LTCP/IP and issued a new draft Consent Order to supersede the 2006 Consent Order No. WC5434. CT DEEP determined that the 2018 LTCP/IP constitutes a new program and approach to achieving the requirements of the CSO Control Policy and water quality standards, and as such the District is authorized to de-authorize certain outstanding projects and associated outstanding bonds authorized to complete those projects delineated in the 2005 LTCP and the 2012 LTCP. Upon doing so, the first phase of the Clean Water Project, established under the LTCP and the 2012 LTCP is concluded as to the de-authorized projects. The Integrated Plan Implementation Phase I Project List and Timeline from Appendix A, shall serve as the list of projects to be completed that are necessary for the District to be deemed compliant with this Consent Order through 2029.

At a meeting of the Bureau of Public Works meeting held on August 22, 2022, it was:

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

RESOLVED: That the Chief Executive Officer of The Metropolitan District, Scott W. Jellison, on behalf of the District, hereby is authorized, empowered and directed to enter into Consent Order #COWRMU22002 with the State of Connecticut Department of Energy & Environmental Protection.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

**THE METROPOLITAN DISTRICT v. STATE OF CONNECTICUT OFFICE OF
CLAIMS COMMISSIONER FILE NO. 25078**

At 6:29 PM, District Chairman DiBella requested an executive session to discuss the MDC V. State of Connecticut Office of Claims Commissioner File no. 25078

On motion made by Commissioner Taylor and duly seconded, the District Board entered into executive session to discuss the MDC V. State of Connecticut Office of Claims Commissioner File no. 25078

Those in attendance during the executive session: Commissioners Andrew Adil, John Avedisian, Avery Buell, Richard Bush, Donald Currey, William A. DiBella, Peter Gardow, Joan Gentile, Jean Holloway, James Healy (Remote), Allen Hoffman, Christian Hoheb (Remote), David Ionno (Remote), Mary LaChance (Remote), Byron Lester, Diane Lewis, Maureen Magnan, Jacqueline Mandyck, Dominic Pane, Bhupen Patel, Alvin Taylor, Calixto Torres, Richard Vicino (Remote), James Woulfe; Chief Executive Officer Scott Jellison and; Attorneys Christopher Stone and John S. Mirtle.

RECONVENE

At 7:20 PM, District 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.

The District Board went into recess from 7:21 PM to 7:26 PM

Without objection, resolutions #14Ai “Construction & Utility Services Supervisor”, #14Aii “Assistant Utility Maintenance Supervisor” and #14Aiii “Utility Maintenance Superintendent”, were consolidated and considered together.

**PERSONNEL, PENSION & INSURANCE COMMITTEE
AMENDMENT TO CLASSIFICATION SYSTEM
CONSTRUCTION AND UTILITY SERVICES SUPERVISOR (LOCAL 1026)**

To: District Board

September 7, 2022

From: Personnel, Pension and Insurance Committee

Staff is recommending that the Job Specification be amended for the *Construction and Utility Services Supervisor* (SS06) to incorporate additional job functions which currently fall under the Survey Chief of Party (SS04) job classification.

The proposed amendments to the job specification continues to enhance the multi-tasking approach to District positions. This multi-tasking job description also eliminates the need for the individual job specification for Survey Chief of Party. There is no change to the current pay range of Construction and Utility Services Supervisor (SS06) range of \$99,037.80-\$118,857.49)

Code: 08006

Employee Group: Local 1026

FLSA Status: Non-Exempt

**METROPOLITAN DISTRICT COMMISSION
CLASSIFICATION DESCRIPTION**

CLASSIFICATION TITLE: CONSTRUCTION AND UTILITY SERVICES SUPERVISOR

JOB SUMMARY

This is very responsible construction engineering supervision work involving the guidance, training, correction, direction and coordination of construction and utility services inspectors working on complex utility pipeline and building construction projects.

Work involves responsibility for conformance of construction plans with District technical standards, inspection of water, utility pipelines, house connections, **survey** and coordination of CBYD mark outs.

This position also has the responsibility for making very difficult construction inspection technical field decisions. This work requires that the employee have knowledge, skill and ability in construction inspection methods and supervision.

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.

- Schedules, assigns, trains, directs and evaluates employees in medium to large construction inspection unit.
- Reviews standard and complex sewer, water and related pipeline and utility service connection plans for conformance with District and technical utility services standards. Identifies problems and determines corrective actions to be taken by developers, contractors and/or engineers.
- Oversees inspection of new and existing utility pipeline and services.
- Oversees house connections, cross connection, CBYD program/Utility Mark out programs.
- Prepares reports, completes forms and compiles information on completed work assignments and employee effort. Analyzes information related to unit effectiveness and efficiency. Assists in the drafting of the unit budget and controlling and accounting for expenditures within fund allocations.
- Trains and counsels employees. Administers Collective Bargaining Agreements. Applies disciplinary action. Assists in employee selection. Assures safe work practices.
- Operates water distribution infrastructure including operating water main and service line valves for the purpose of isolating, pressurizing, or flushing a water main or service and also performs pressure tests, obtains water samples and commissions hydrants.
- Identifies and analyzes opportunities for improving service delivery methods and procedures; identifies and calculates resource needs; coordinates informational reviews and updates with appropriate management staff; and provides guidance and leadership with the implementation of revised, adjusted and/or new work procedures.
- Directs and coordinates the review of work plans for assigned construction inspection services and activities; assigns work activities and projects; monitors

and tracks work flow; reviews and evaluates work products, methods, and procedures; meets with staff to provide input to identify and resolve problems.

- Assigns, reviews, monitors and tracks work performed in the field; performs field inspections and approves construction work; reviews and approves inspector diaries, reports, correspondence, memoranda, and recommendations for change orders and progress payments; confers with construction inspectors, engineers, and contractors regarding contract and plan interpretation, and use and provision of construction materials, or methods. This position ensures compliance with the plans, specifications and internal engineering construction standards. Takes appropriate action to correct or remediate construction issues or concerns.
- Provides staff assistance to higher level management staff; participates as an attendee to a variety of committees; prepares and presents staff reports and other correspondence as appropriate and necessary. Attends and participates in professional group meetings; stay abreast of new trends and innovations in the field on construction inspection.
- Coordinates construction inspection activities with those of other divisions and outside agencies and organizations. Acts as principal liaison between District engineers and contractors.
- Assists in settling disputes arising between contractor and inspector during the performance of the contracts, participates in public meetings and/or hearings, and, addresses and promptly disposes of public complaints.
- Inspects standard and highly complex utility pipeline and building mechanical systems construction. Instructs contractors in construction practices and in correcting construction errors. Enforces inspection decisions. Oversees contractor pressure tests of water, sewer and force main pipelines.
- Maintains detailed records of inspection activities. Compiles and prepares reports.
- May supervise a survey crew to survey property lines, topography, construction layout and completed pipeline projects.
- Performs other related duties as required.

SUPERVISION RECEIVED

Works under the general supervision of the Manager of Construction Services or Manager of Command Center.

MINIMUM QUALIFICATIONS

Associate's degree in engineering technology or related field; supplemented by minimum of five (5) years of senior level construction inspection including surveying experience, involving large scale and complex construction projects and at least one (1) year of lead or supervisory experience; or an equivalent combination of education and qualifying experience on a year-for-year basis.

SPECIAL REQUIREMENTS

Must have a valid driver's license.

State of Connecticut Land Surveying License preferred

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of construction inspection principles and practices.
- Knowledge of land surveying principles and practices. Considerable ability to operate all survey instruments and to survey land and completed construction..
- Ability to inspect utility and building mechanical trades construction safely, effectively and efficiently and with firmness and tact.
- Ability in mathematics as applied to surveying and related operations, and in computers and supporting word processing and spreadsheet applications.
- Ability to establish and maintain effective working relationships with coworkers, contractors, consultants, and the general public. Ability in oral and written communications.
- Knowledge and ability in operational characteristics, services, and activities of a comprehensive construction inspection program including maintaining construction records and to prepare inspection reports.
- Knowledge in modern and complex principles and practices of construction inspection for public works construction.
- Knowledge of OSHA regulations and construction safety precautions pertaining to the work.
- Knowledge in principles of supervision, training, and performance evaluation. Supervise and coordinate construction inspection services. Interpret and explain District construction inspection policies and procedures.
- Read and interpret plans, specifications, maps, drawings, contracts and work orders. Communicate clearly and concisely, both orally and in writing.
- Knowledge of MDC policies and procedures.

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 visual and/or auditory cues or signals. Some tasks require the ability to communicate orally.

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

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

At a meeting of the Personnel, Pension & Insurance Committee held on August 10, 2022, it was:

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

RESOLVED: That the Job Specification for *Construction and Utility Services Supervisor (SS06)* position be adopted as updated (copy of job specification attached) and the current Job Specification for *Survey Chief of Party (SS04)* will be eliminated.

Respectfully Submitted,



John S. Mirtle, Esq.
District Clerk

**PERSONNEL, PENSION & INSURANCE COMMITTEE
AMENDMENT TO CLASSIFICATION SYSTEM
ASSISTANT UTILITY MAINTENANCE SUPERINTENDENT (LOCAL 1026)**

To: District Board September 7, 2022
From: Personnel, Pension and Insurance Committee

Staff is recommending that the Job Specifications be amended for the Assistant Utility Maintenance Superintendent (SS09) to incorporate Command Center responsibilities, specifically those that currently fall within the Command Center Assistant Superintendent (SS08) job classification. This action is in line with District initiatives to support multi-tasking, specifically between Operations and the Command Center and this amendment is in line with the entire UM series of positions.

The proposed amendments to the job specification continues to enhance the multi-tasking approach to District positions. This multi-tasking job description also eliminates the need for the individual job specification for Command Center Assistant Superintendent (SS08) which can therefore be eliminated. There is no change to the current salary grade of Assistant Utility Maintenance Superintendent SS09 (\$114,753.60-\$137,716.80).

METROPOLITAN DISTRICT COMMISSION CLASSIFICATION DESCRIPTION

CLASSIFICATION TITLE: ASSISTANT UTILITY MAINTENANCE SUPERINTENDENT

JOB SUMMARY

This is highly responsible supervisory position involving the supervision and oversight of utility pipeline repair and maintenance, utility services and command center functions, including staffing, operations and emergency responses and repair and maintenance of utility pipelines and related facilities. ~~supervisory work responsible for workforce management for the repair, construction and maintenance of water and sewer pipeline systems.~~

Work involves responsibility for safe, effective and timely repair, installation and maintenance of water and sewer pipeline systems and providing direction to emergency water and sewer operations, cross connection/backflow inspection operations, Call Before You Dig responses, customer water and sewer inspections and inquiries, construction plan review and permitting, records management, insurance claims response and resolution, and backwater valve and sewer discharge programs and other required customer compliance and assistance programs. Duties include assisting in the direction of heavy equipment and pipeline construction crew operations, assisting with the planning and laying out of projects with engineers, making in-field mark-outs, researching record plans, maintaining paper and digital records -assisting in the direction of repair and maintenance of pipelines, meters, valves, gates, and sewers. Coordinates emergency response of MDC crews and resources. This position also has the responsibility for making difficult pipeline technical and operational decisions. ~~This work requires that the employee have knowledge, skill and ability in utility pipeline repair and maintenance supervision~~

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.

- Assists in planning and directing work objectives and activities of a medium size work division in repairing and constructing water and sewer pipeline systems. Monitors unit or work group activities and recommends correction.
- Assists in planning and directing work objectives and activities in the daily maintenance and operation of the sanitary and storm collection system, meters, water valves, gates, manholes, hydrants, combined sewer overflow sites and closed-circuit inspection services. Monitors unit or work group activities and recommends correction.
- Gathers and analyzes information and prepares reports and draft recommendations. Reviews completed forms.
- Coordinates division operations with other District functions and government agencies. Coordinates unit operations and the personnel, materials and equipment necessary for projects and objectives. Schedules snow plowing operations, as necessary.

- Assists in drafting division budgets and in reviewing unit budgets. Reviews unit expenditures and recommends approval.
- ~~Counsels employees and supervises and~~ Supplements employee training and counseling. Administers union contract language and oral warnings, and researches and recommends higher level discipline. Reviews employee performance evaluation and reclassification requests and makes recommendations. Assists in employee selection. Assures safe work practices.
- Coordinates unit operations and the personnel, materials and equipment necessary for projects and objectives. Coordinates task and project emergencies with government agencies.
- Oversees and supervises all general and elevated communications between federal, state and local agencies and ensure that all federal, state, local and MDC regulations and polices are followed.
- Coordinates work crews and resources for emergency and non-emergency calls.
- Responsible for management of work requests, planning, scheduling, execution and completion of work orders. Responsibility includes prioritizing backlog, work order completion verification with required documentation and follow-on work requirements.
-
- Responds to major water and sewer emergencies and related problems at any time of day or night, as necessary.
- ~~Schedules traffic direction service by policy and notifies utilities to mark out underground utilities prior to excavation.~~
- Performs related work as required.

SUPERVISION RECEIVED

Works under the general supervision of the Utility Maintenance Superintendent.

MINIMUM QUALIFICATIONS

A high school diploma or the equivalent plus eight (8) years of progressively responsible administrative -utility pipeline repair or construction experience including at least four (4) ~~years at the level of Supervisor or higher of supervisory experience,~~ or an equivalent combination of education and qualifying experience substituting on a year-for-year basis.

SPECIAL REQUIREMENTS

Must have a valid driver's license. Must have, or obtain within one (1) year of hire, a CT Class III Operator Water Distribution System Certificate

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of water and sewer pipeline system construction and repair supervision principles and practices.
- Knowledge of MDC policies and procedures.
- Knowledge of public administration principles and practices as applied to the operation of facilities or programs.
- Knowledge of budget preparation.
- Knowledge of water distribution, sewer collection, and flood control systems.
- Knowledge of federal, state and local compliance regulations.
- Knowledge of the SCADA system and Geographical Information Systems (GIS) and supporting District tools.
- Ability to operate computers, software and systems and other standard office equipment required for performing essential functions.
- Ability to communicate orally and in writing and to coordinate operational and administrative activities or to lead others in a work unit or group.
- Ability to administer policies and procedures including planning, scheduling, budgeting routine, decision-making, and report development and writing.
- Ability to monitor the work of work groups and to supervise a selected work unit.
- Ability to establish and maintain effective working relationships with coworkers, vendors, contractors, customers, and the general public.

ADA COMPLIANCE

Physical Ability: Tasks require the ability to exert moderate physical effort that involves lifting, carrying, pushing and/or pulling of objects and materials of moderate weight (under 50 pounds).

Sensory Requirements: Some tasks require the ability to perceive and discriminate: (i) visual and/or auditory cues or signals; and/or (ii) odors. Some tasks require the ability to communicate orally and in writing.

Environmental Factors: Essential functions are performed primarily indoors with minimal exposure to outdoor environmental factors.

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

At a meeting of the Personnel, Pension & Insurance Committee held on August 10, 2022, it was:

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

RESOLVED: That the Job Specification for *Assistant Utility Maintenance Superintendent* (copy of job specification attached) be amended to include Command Center functions and the current Job Specification for *Command Center Assistant Superintendent (SS08)* will be eliminated.

Respectfully Submitted,



John S. Mirtle, Esq.
District Clerk

**PERSONNEL, PENSION & INSURANCE COMMITTEE
AMENDMENT TO CLASSIFICATION SYSTEM
UTILITY MAINTENANCE SUPERINTENDENT (LOCAL 1026)**

To: District Board September 7, 2022

From: Personnel, Pension and Insurance Committee

Staff is recommending that the Job Specification for the *Utility Maintenance Superintendent* classification from SS10 be amended to incorporate additional job functions which currently fall under the Command Center Superintendent (SS10) job classification. This action is in line with District initiatives to support multi-tasking, specifically between Operations and the Command Center and this amendment is in line with the entire UM series of positions.

The proposed amendments to the job specification continues to enhance the multi-tasking approach to District positions. This multi-tasking job description also eliminates the need for the individual job specifications of *Command Center Superintendent* (SS10). There is no change to the current salary grade of *Utility Maintenance Superintendent* SS10 (range of \$120,390.40-\$144,497.60).

METROPOLITAN DISTRICT COMMISSION CLASSIFICATION DESCRIPTION

CLASSIFICATION TITLE: UTILITY MAINTENANCE SUPERINTENDENT

JOB SUMMARY

This is the most responsible supervisory ~~position work in the operations department~~ involving the supervision and oversight direction of utility pipeline maintenance-construction and repair, utility services and command center functions, including staffing operations, emergency response and repair and maintenance of utility pipelines and related facilities ~~and the direction of meter and emergency maintenance operations.~~

Work involves responsibility for safe, effective and timely repair, installation and maintenance of water and sewer pipeline systems, providing direction to emergency water and sewer operations, cross connection/backflow inspection operations, Call Before You Dig responses, customer water and sewer inspections and inquiries, construction plan review and permitting, records management, insurance claims response and resolution, the backwater valve and sewer discharge programs and other required customer compliance and assistance programs. . Duties include directing heavy equipment and pipeline construction crew operations, planning and laying out projects with engineers, making in-field mark-outs, researching record plans, maintaining paper and digital records directing repairs and maintenance of pipelines, meters, valves, gates, and sewers. This position also has the responsibility for making very difficult pipeline technical and operational decisions. ~~This work requires that the employee have knowledge, skill and ability in utility pipeline repair and maintenance supervision.~~

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.

- Responsible for workforce management, planning, and direction of a division in repairing and constructing water and sewer pipeline systems. Provides day-to-day employee managerial responsibilities.
- Plans and directs work objectives and activities for a large work unit in the daily maintenance and operation of the sanitary and storm collection system, meters, water valves, gates, manholes, hydrants, combined sewer overflow sites and closed-circuit inspection services.
- Gathers and analyzes information, Determines recommendations and, prepares reports. Determines operating procedures and recommends operating policies.
- Plans, directs and supervises command center operations, including staffing, alarm responses and emergency and non-emergency water and sewer operations.
- Coordinates division operations with other District functions and government agencies. Coordinates unit operations and the personnel, materials and equipment necessary for projects and objectives.
- Develops division budgets and reviews unit budgets. Approves unit expenditures within fund allocations

- Develops division budgets and reviews unit budgets. Approves unit expenditures within fund allocations.
- Counsels employees and supervises training. Administers union contract language, oral and, written warnings and suspensions. Recommends higher level discipline. Interviews job candidates and recommends selection. Reviews employee performance evaluation and reclassification requests and makes recommendations. Assures safe work practices.
- Coordinates division operations with other District functions and government agencies. Coordinates unit operations and the personnel, materials and equipment necessary for projects and objectives. Acts as a liaison between customers (state, municipal towns, private contractors, and engineers) and MDC contractors and engineers.
- Oversees and supervises all general and elevated communications between federal, state and local agencies.
- Coordinates work crews and resources for emergency and non-emergency calls.
- Responsible for management of work requests, planning, scheduling, execution and completion of work orders. Responsibility includes prioritizing backlog, work order completion verification with required documentation and follow-on work requirements.
- Responds to major water and sewer emergencies and related problems at any time of day or night, as necessary.
- Performs related work as required.

SUPERVISION RECEIVED

Works under the direction of the Manager of Operations or Manager of Command Center.

MINIMUM QUALIFICATIONS

A high school diploma or the equivalent plus ten (10) years of progressively responsible utility pipeline repair or construction experience including at least six (6) years at the level of Supervisor or higher of supervisory experience, or an equivalent combination of education and qualifying experience substituting on a year-for-year basis.

SPECIAL REQUIREMENTS

Must have a valid driver's license and a CT Class III Operator Water System Distribution Certificate.

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of water and sewer pipeline system construction, installation, and repair supervision principles and practices. Knowledge of materials and equipment needed to make repairs.
- Knowledge of MDC policies and procedures.
- Knowledge of public administration principles and practices as applied to the operation of facilities or programs.
- Knowledge of budget development.

- Knowledge of water distribution, sewer collection, and flood control systems.
- Knowledge of federal, state and local compliance regulations.
- Knowledge of the SCADA system and Geographical Information Systems (GIS) and supporting District tools.
- Ability to communicate orally and to lead others in operational work groups; good writing ability.
- Ability to administer policies and procedures including planning, scheduling, budgeting, decision-making, and report development and writing.
- Ability to supervise the work of large work groups through subordinate supervisors.
- Ability to establish and maintain effective working relationships with coworkers, vendors, contractors, customers, and the general public.
- Ability to operate computers, software and systems and other standard office equipment required for performing essential functions.
- Ability to resolve emergency situations in a proficient, safe, and timely manner.

ADA COMPLIANCE

Physical Ability: Tasks require the ability to exert light physical effort in a sedentary to light work environment, which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (under 25 pounds).

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

Environmental Factors: Essential functions are performed primarily indoors with minimal exposure to outdoor environmental factors.

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

At a meeting of the Personnel, Pension & Insurance Committee held on August 10, 2022, it was:

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

RESOLVED: That the Job Specification for *Utility Maintenance Superintendent SS10* (copy of job specification attached) be amended to include Command Center functions and the current Job Specification for *Command Center Superintendent (SS10)* will be eliminated.

Respectfully Submitted,



John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Magnan and duly seconded, the reports for resolutions #14Ai "Construction & Utility Services Supervisor", #14Aii "Assistant Utility Maintenance Supervisor" and #14Aiii "Utility Maintenance Superintendent", were received and the resolutions adopted by unanimous vote of those present.

**PERSONNEL, PENSION & INSURANCE COMMITTEE
LOCAL 1026 TENTATIVE AGREEMENTS**

To: District Board

September 7, 2022

From: Personnel, Pension and Insurance Committee

The District reached a tentative contract settlement agreement with Local 1026 on June 30, 2022. The agreement was made subject to the ratification with Local 1026 and the District's governing bodies.

Local 1026 conducted ratification voting and provided notice to the District to confirm that the unit had voted to accept the tentative agreement. Staff and legal counsel recommend that the tentative agreement be approved by this Sub-Committee with the recommendation of approval to the full Board of Commissioners.

The significant items of this agreement include:

As to new employees within the bargaining unit hired after December 31, 2022

- Longevity payments-Employees hired after December 31, 2022 are not eligible for longevity payments.
- Pro-Rata Vacation Payment (10 days)- Employees hired after December 31, 2022 are not eligible for Pro-Rata Vacation Payments at retirement.
(Current employees are paid two weeks of additional vacation time at time of retirement)

Applicable to both existing and/or new employees (after December 31, 2022)

- District will implement a Health Enhancement Plan (HEP) in conjunction with

the Districts Medical Plan. Health Enhancement Program- helps direct employees and spouses to receive age appropriate preventative wellness care that can help employee/spouse well-being by early detection and prevention.

The Health Enhancement Plan requires enrolled adults to receive age appropriate activities/exams (employee and enrolled spouse).

Both Employee and Spouse are considered compliant by completing age appropriate requirements within the coverage year (i.e. 2023). If Employee and Spouse are both enrolled, both parties must complete the age appropriate exams/activities to be deemed compliant.

If enrolled individual(s) do not complete age appropriate exams/activities within the coverage year (i.e. 2023), they are deemed non-compliant for the following plan year and are subject to a 5% increase to existing premiums. For example, currently employees pay an 18% premium but will pay 23% if they are non-compliant. Non-Compliance means either the Employee and/or Spouse did not receive the age appropriate medical exams/screenings.

Example of some of the age appropriate exams/activities.

PREVENTIVE SCREENINGS	AGE						
	0-5	6-17	18-24	25-29	30-39	40-49	50+
Preventive Visit	1 per year	1 every other year	Every 3 years	Every 3 years	Every 3 years	Every 2 years	Every year
Vision Exam	N/A	N/A	Every 7 years	Every 7 years	Every 7 years	Every 4 years	50-64: Every 3 years 65+: Every 2 years
Dental Cleanings*	N/A	At least 1 per year	At least 1 per year	At least 1 per year	At least 1 per year	At least 1 per year	At least 1 per year
Cholesterol Screening	N/A	N/A	Every 5 years (20+)	Every 5 years	Every 5 years	Every 5 years	Every 5 years
Breast Cancer Screening (Mammogram)	N/A	N/A	N/A	N/A	N/A	1 screening between age 45-49**	As recommended by physician
Cervical Cancer Screening (Pap Smear)	N/A	N/A	Every 3 years (21+)	Every 3 years	Pap smear only every 3 years or Pap and HPV combo screening every 5 years	Pap smear only every 3 years or Pap and HPV combo screening every 5 years	Pap smear only every 3 years or Pap and HPV combo screening every 5 years to age 65
Colorectal Cancer Screening [‡]	N/A	N/A	N/A	N/A	N/A	40-44: N/A 45+: Colonoscopy every 10 years, Annual FIT/FOBT to age 75 or Cologuard screening every 3 years	

The HEP is managed by a third party administrators that works with the District insurance carrier. Notifications are sent to enrolled employees and

spouses at various times throughout the year to remind them of required activities (identifies which exams are required) and employees/spouses have access to individual portal to track their progress.

- 1% OPEB Premium Share Participation will be eliminated for all employees.
- Elimination of \$6,000 Life Insurance buy-out at retirement
- General Wage Adjustments
 - For year 2023, effective December 31, 2022 - 5%
 - For year 2024, effective December 29, 2023 – 4%
 - For year 2025, effective December 28, 2024 – 3.5%
 - For year 2026, effective December 27, 2025 – 3%
- Sick leave -amended contract from monthly accrual to 15-days annually to front loaded 15-days. Pro-rated sick time for new hires.
(Currently the District provides increments of time on a monthly basis for Union employees and annually for E&E employees)
- Sick Leave Payout Upon Termination- formula adjusted to provide a maximum of 100 days paid sick leave (50 days pensionable, 50 days non-pensionable).
(presently the District pays employees up to 60 day of sick leave at retirement- 50 days are pensionable and 10 days are non-pensionable).

Employees upon retirement or death (payable to estate) who have completed at least ten (10) years of service with the District except those discharged, shall on the basis of their wage rate as of the time of separation be paid for fifty percent (50%) of their unused accumulated sick leave to a maximum of one-hundred (100) days (max 50 days pensionable and max 50 days non-pensionable). Substitution of vacation time is not permitted. Not payable upon resignation.

- Eliminate Pro Rata Vacation Payments at retirement – advance vacation payments
(The District currently pays retiring employees, ½ of the following year vacation allotment for retirements before July 1st and the full allotment for retirements July 1st-December 1st)

- Work Clothing/Shoes and Meal Allowances- changed allowance to \$850 annual to consolidate allowances into one payment (clothing, shoes, meals, etc). Payable once per year in February.
(currently the District pays \$425 annually for clothing allowance and meal allowances \$10 per meal based on hours worked. Administratively this process is challenging for the employee and supervisor to track and is administratively burdensome on a weekly pay basis)
- Annual performance appraisals for Local 1026 will be due each July 1st instead of anniversary date.
- Moratorium on Classification Review extended to December 31, 2026
- Vehicle Allowance - remove the additional two dollars (\$2.00) per day for personal vehicle use.

Housekeeping

- Update Discrimination Language of the Collective Bargaining Agreement to be reflective of current regulations.
- Remove the following language from Local 1026 contract:
Employees who are members of the Union as of the date of execution of this agreement will not be required to take oral or written examinations for any vacancy to be filled by posting for a job classification existing as of such date during the time of this agreement, but may elect to do so. All employees will be required to take oral and written examinations for newly credited positions.
- Work Hours- all 1026 employees work 40 hours
(as opposed to having some be 37.5 hours- we do not have any actively employed 1026 employees that work 37.5 hours)
- Update contract with current co-payment structure
(co-payment correction for inpatient and outpatient services- Outpatient listed as 50- s/b100; Inpatient listed as 125 s/b 250)

At a meeting of the Personnel, Pension & Insurance Committee held on August 10, 2022, it was:

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

RESOLVED: That the Board of Commissioners of The Metropolitan District hereby authorizes the Chief Executive Officer to implement the terms of the Tentative Agreement executed with the affiliated bargaining units on June 30, 2022 (copy attached) and execute updated collective bargaining agreement with Local 1026 incorporating the terms of the Tentative Agreement.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

**PERSONNEL, PENSION & INSURANCE COMMITTEE
BENEFIT AND CONDITION CHANGES – EXEMPT AND EXCLUDED EMPLOYEES**

To: District Board September 7, 2022

From: Personnel, Pension and Insurance

SICK LEAVE, STD AND LTD BENEFITS

On July 13, 2015, a resolution was presented and approved unanimously by the Personnel, Pension and Insurance Committee, and the full Board of Commissioners to freeze the Sick Leave Balances for the Exempt and Excluded employees. In addition, employees hired prior to this date would receive the 25% payout of this balance at time of retirement, but employees hired after August 1, 2015 could roll this time from year to year to a maximum of 40 days. In addition to this action, the District established Short-Term and Long-Term Disability programs. These programs proved especially attractive to new employees who have comparatively low time bank balances.

On June 19, 2017, a resolution was presented and approved unanimously by the Personnel, Pension and Insurance Committee, and the full Board of Commissioners to offer a one-time option to employees hired prior to August 1, 2015 to (a) resume the former Sick Leave procedure but at the decreased accrual rate (8 days per year) and without the Short-term Disability program: or (b) continue the present Short-Term Disability Program and to leave their accumulated sick time frozen.

Due to the effects of COVID and an increased need for the use of sick time, and the inability to negotiate this same incentive to union staff, we have observed an inequity in benefits to E&E staff.

Due to this inequity, we are recommending to reinstate the 15 sick days per year to E&E staff and to eliminate the Short-Term and Long-term Disability options.

As to new E&E employees hired after December 31, 2022

(the below proposals are consistent with the Local 1026 proposal identified the tentative agreement)

- Longevity payments- Employees hired after December 31, 2022 are not eligible for longevity payments.
- Pro-Rata Vacation Payment (10 days)- Employees hired after December 31, 2022 are not eligible for Pro-Rata Vacation Payments at retirement.
(Current employees are paid two weeks of additional vacation time at time of retirement)

Applicable to both existing and/or new E&E employees (after December 31, 2022)

(the remaining proposals below are consistent with the Local 1026 proposals identified in the tentative agreement and would be applicable to existing and new E&E employees after 12/31/22)

- Exempt and Excluded employees upon retirement or death (payable to estate) who have completed at least ten (10) years of service with the District except those discharged, shall on the basis of their wage rate as of the time of separation be paid for fifty percent (50%) of their unused accumulated sick leave to a maximum of one-hundred (100) days (max 50 days pensionable and max 50 days non-pensionable). Substitution of vacation time is not permitted. Not payable upon resignation.

(presently the District has a tiered structure related to sick leave payouts for E&E. The District currently pays out up to 60 days of sick leave at retirement for those hired before August 1, 2015 - 50 days are pensionable and 10 days are non-pensionable. For employees hired after August 1, 2015 the District pays out up to 40 days of sick leave which are considered pensionable).

- Longevity payments for existing E&E will be adjusted consistent with Union language:

	Current	2023
10 -<15 years	\$250	\$275
15-<20 years	\$350	\$375

20-<25 years	\$575	\$600
25+ years	\$800	\$825

(this proposal is consistent with the Local 1026 proposal from the tentative agreement and matches Longevity payments which are currently in place for Local 1026)

- General Wage Adjustments
 - For year 2023, effective December 31, 2022 - 5%
 - For year 2024, effective December 29, 2023 – 4%
 - For year 2025, effective December 28, 2024 – 3.5%
 - For year 2026, effective December 27, 2025 – 3%
- District will implement a Health Enhancement Plan (HEP) in conjunction with the Districts Medical Plan. Health Enhancement Program- helps direct employees and spouses to receive age appropriate preventative wellness care that can help employee/spouse well-being by early detection and prevention.

The Health Enhancement Plan requires enrolled adults to receive age appropriate activities/exams (employee and enrolled spouse).

Both Employee and Spouse are considered compliant by completing age appropriate requirements within the coverage year (i.e. 2023). If Employee and Spouse are both enrolled, both parties must complete the age appropriate exams/activities to be deemed compliant.

If enrolled individual(s) do not complete age appropriate exams/activities within the coverage year (i.e. 2023), they are deemed non-compliant for the following plan year and are subject to a 5% increase to existing premiums. For example, currently employees pay an 18% premium but will pay 23% if they are non-compliant. Non-Compliance means either the Employee and/or Spouse did not receive the age appropriate medical exams/screenings.

Example of some of the age appropriate exams/activities.

PREVENTIVE SCREENINGS	AGE						
	0-5	6-17	18-24	25-29	30-39	40-49	50+
Preventive Visit	1 per year	1 every other year	Every 3 years	Every 3 years	Every 3 years	Every 2 years	Every year
Vision Exam	N/A	N/A	Every 7 years	Every 7 years	Every 7 years	Every 4 years	50-64: Every 3 years 65+: Every 2 years
Dental Cleanings*	N/A	At least 1 per year	At least 1 per year	At least 1 per year	At least 1 per year	At least 1 per year	At least 1 per year
Cholesterol Screening	N/A	N/A	Every 5 years (20+)	Every 5 years	Every 5 years	Every 5 years	Every 5 years
Breast Cancer Screening (Mammogram)	N/A	N/A	N/A	N/A	N/A	1 screening between age 45-49**	As recommended by physician
Cervical Cancer Screening (Pap Smear)	N/A	N/A	Every 3 years (21+)	Every 3 years	Pap smear only every 3 years or Pap and HPV combo screening every 5 years	Pap smear only every 3 years or Pap and HPV combo screening every 5 years	Pap smear only every 3 years or Pap and HPV combo screening every 5 years to age 65
Colorectal Cancer Screening†	N/A	N/A	N/A	N/A	N/A	40-44: N/A 45+: Colonoscopy every 10 years, Annual FIT/FOBT to age 75 or Cologuard screening every 3 years	

The HEP is managed by a third party administrators that works with the District insurance carrier. Notifications are sent to enrolled employees and spouses at various times throughout the year to remind them of required activities (identifies which exams are required) and employees/spouses have access to individual portal to track their progress.

- 1% OPEB Premium Share Participation will be eliminated
- Eliminate Pro Rata Vacation Payments at retirement – advance of next year’s vacation time shall be discontinued.
(The District currently pays retiring employees, 1/2 of the following year vacation allotment for retirements before July 1st and the full allotment for retirements July 1st-December 1st)

At a meeting of the Personnel, Pension & Insurance Committee held on August 10, 2022, it was:

VOTED: That the Personnel Pension and Insurance Committee recommend to the District Board passage of the above-detailed amendments to benefits and conditions extended to Exempt and Excluded employees:

RESOLVED: That the Exempt and Excluded benefits and conditions be amended as indicated herein and above.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

**SETTLEMENT OF WORKERS COMPENSATION CLAIM
ROBERT DELVECCHIO**

To: District Board

September 7, 2022

From: Personnel, Pension and Insurance

District Staff recommends approval of a tentative agreement to close out the indemnity portion of Robert Delvecchio's six open workers compensation claims. This tentative agreement is a full and final settlement of all existing indemnity claims in the amount of \$55,000.00. If this agreement is approved by the Personnel, Pension and Insurance Committee and the Board of Commissioners, the stipulation would be presented to the Workers' Compensation Commissioner for final approval.

At a meeting of the Personnel, Pension & Insurance Committee held on September 6, 2022, it was:

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

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 necessary to effect settlement of all workers' compensation indemnity claims for Robert Delvecchio in the amount of \$55,000.00, subject to the final approval by the Workers' Compensation Commissioner.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

**INTERNAL AUDIT COMMITTEE
SANDLER & MARA P.C. INVOICES**

To: District Board

September 7, 2022

From: Internal Audit Committee

At a meeting of the Internal Audit Committee held on August 25, 2022, it was:

VOTED: At the August 1, 2022 Special Meeting of the Board of Commissioners a matter concerning invoices for work by Attorney James Sandler of Sandler & Mara, P.C. was referred to the Internal Audit Committee of the MDC.

In July, 2022 invoices were received from Attorney James Sandler. The bills received were for services purportedly performed from January 2022 - June 2022.

The Internal Audit Committee has determined:

- A contract for services for 2022 did not exist between MDC and Attorney James Sandler of Sandler & Mara;
- The only persons authorized to execute a contract for legal services are the General Counsel and the Chief Executive Officer;
- Neither the MDC General Counsel nor the CEO authorized nor were either in negotiations for a contract with Attorney James Sandler in 2022; and
- The documents submitted on August 25, 2022 by the attorney representing Attorney James Sandler do not contain a contract, purchase order or other form of agreement authorizing Attorney James Sandler to perform for and receive payment from the MDC.

Based upon the foregoing, the Internal Audit Committee recommends to the Board that Attorney James Sandler's 2022 invoices not be paid

AND

VOTED: That the Committee resolves that staff hold payment for the \$14,000 invoice dated October 1, 2021 until the Board approves such payment.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

**INTERNAL AUDIT COMMITTEE
QUESTIONS TO WILLIAM DIBELLA**

To: District Board

September 7, 2022

From: Internal Audit Committee

At a meeting of the Internal Audit Committee held on August 25, 2022, it was:

VOTED:

In July, 2022 District Counsel received invoices ("Invoices") from Attorney James Sandler of Sandler & Mara, P.C., which in turn were distributed to all MDC Commissioners and Citizen Members. The Invoices purportedly relate to services performed from January 2022-June 2022. Over the past several weeks, certain MDC Commissioners have submitted questions regarding the Invoices to Chairman DiBella, either directly or through the District Clerk. With the exception of the question posed by the Internal Audit Committee ("Committee") at its meeting of August 4, 2022, other questions submitted by Commissioners remain unanswered.

At the August 1, 2022 Special Meeting of the Board of Commissioners the matter concerning the Invoices was referred to the Committee.

On August 24, 2022, District Counsel was informed that, because the matter is under consideration by the Committee, Chairman DiBella would only answer questions regarding the Invoices submitted by the Committee, not individual Commissioners. Based upon the foregoing, the Committee hereby resolves that a list of questions will be submitted to Chairman DiBella on or before the close of business Friday, August 26, 2022, with a written response deadline of close of business Thursday, September 1, 2022.

Based upon input from the members of the Committee considering this matter, the list of questions will be finalized on or before noon Friday, August 26, 2022.

The Committee reserves the right to submit supplemental questions to Chairman DiBella as it deems appropriate.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

Without objection, the report was received.

**INTERNAL AUDIT COMMITTEE
REFERRAL TO ETHICS COMMITTEE FOR POSSIBLE ETHICS CODE
VIOLATION**

To: District Board

September 7, 2022

From: Internal Audit Committee

At a meeting of the Internal Audit Committee held on August 25, 2022, it was:

VOTED:

In July, 2022 District Counsel received invoices ("Invoices") from Attorney James Sandler of Sandler & Mara, P.C., which in turn were distributed to all MDC Commissioners and Citizen Members. The Invoices purportedly relate to services performed from January 2022-June 2022. Attorney Sandler claims that the Invoices evidence a legal obligation of the MDC and are due and payable. Presently, the MDC disputes that claim. As such, there is a case in controversy between Attorney Sandler and the MDC.

Generally, Commissioners and Citizen Members should refrain from communicating with any outside consultants regarding matters before the MDC and should not take any action in direct contravention to the policy decisions and directives of the District Board. As to this particular claim, Commissioners and Citizen Members were specifically advised to refrain from engaging in such communication by District Counsel.

At the August 1, 2022 Special Meeting of the Board of Commissioners the matter concerning the Invoices was referred to the MDC Internal Audit Committee ("Committee") for investigation of the Invoices and whether or not the work purportedly performed by Attorney Sandler was properly authorized and committed to by Chairman Dibella. The Committee met immediately thereafter (August 4, 2022) to commence its assigned tasks.

At some time thereafter, the Chairwoman of the Committee was informed that MDC Commissioner Alvin Taylor met with a representative of Sandler & Mara in an attempt to negotiate a settlement of the claim and thereby bypass the investigation by the Committee, and thereafter contacted one or more Commissioners to solicit their support.

Based upon the foregoing, the Committee hereby refers the matter described above to the MDC Ethics Advisory Board to determine whether Commissioner Taylor violated any MDC ethics rules and if so, recommend to the District Board what, if any, action should be taken as a result.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

Without objection, the report was received.

**INTERNAL AUDIT COMMITTEE
REFERRAL TO BOARD POSSIBLE VIOLATION OF MDC BYLAW B2k**

To: District Board September 7, 2022

From: Internal Audit Committee

At a meeting of the Internal Audit Committee held on September 6, 2022, it was:

VOTED: Be It Hereby Resolved that the Internal Audit Committee hereby refers the matter relating to a possible ethics code violation by Commissioner Alvin Taylor, as described in a previously adopted resolution of the Internal Audit Committee dated August 25, 2022, to the MDC District Board for a determination as to whether the alleged actions of Commissioner Taylor as therein described constitute a violation of MDC By-Law B2k.

AND

VOTED: Be It Further Resolved that the Internal Audit Committee recommends that no investigation or action be taken by the District Board on this referral until such time as the Ethics Advisory Board concludes its investigation and reports its findings and recommendations, if any, on the matter referred to in its August 25, 2022 resolution noted above.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

Without objection, the report was received.

**INTERNAL AUDIT COMMITTEE
BUDGET FOR OUTSIDE COUNSEL FOR INDEPENDENT INVESTIGATION**

To: District Board September 7, 2022

From: Internal Audit Committee

At a meeting of the Internal Audit Committee held on September 6, 2022, it was:

VOTED: Be It Hereby Resolved that, pursuant to MDC By-Law B3n, the Internal Audit Committee recommends to the District Board the creation of a budget with an authorization to expend an amount not to exceed \$50,000 for the purpose of retaining, through the District Counsel, an outside legal counsel to conduct an independent investigation into issues relating to 2021 and 2022 Sandler & Mara, P.C. invoices.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

Commissioner Vicino made a motion to refer the Budget for Outside Counsel for Independent Investigation to the Board of Finance.

Commissioner Vicino withdrew his motion.

After procedural discussion, Commissioner Vicino restated the motion to refer the Budget for Outside Counsel for Independent Investigation to the Board of Finance

The motion to refer the Budget for Outside Counsel for Independent Investigation to the Board of Finance failed by majority of a roll call vote.

The result of the roll call:

Yeas: Richard W. Vicino (1)

Nays: Commissioners Andrew Adil, John Avedisian, Avery Buell, Richard Bush, Donald Currey, William A. DiBella, Peter Gardow, Joan Gentile, James Healy, Jean Holloway, Allen Hoffman, Byron Lester, Diane Lewis, Maureen Magnan, Jacqueline Mandyck, Dominic Pane, Bhupen Patel, Alvin Taylor, Calixto Torres and James Woulfe (20)

Abstentions: (0)

Absent &

Not Voting: Commissioners David Drake, David Ionno, Alphonse Marotta, Jon Petoskey and Pasquale J. Salemi (5)

On motion made by Commissioner Pane and duly seconded, the report was received and resolution for “Budget for outside Counsel for Independent Investigation” was adopted by unanimous vote of those present.

RECOMMENDATIONS FROM INTERNAL AUDIT COMMITTEE RELATED TO INDEPENDENT INVESTIGATION

Without objection, the Recommendations from the Internal Audit Committee related to the Independent Investigation was passed.

Commissioner Pane made a motion to amend the agenda, in order to make a motion that the MDC Board request William DiBella temporarily step down as Chairman until the Internal Audit Committee completes its work as referred to it by the MDC Board on August 1, 2022. Commissioner Avedisian seconded the motion.

The motion to amend the agenda failed by roll call vote.

The result of the roll call:

Yeas: Commissioners John Avedisian, Richard Bush, Peter Gardow, Allen Hoffman, Jacqueline Mandyck, Dominic Pane and Bhupen Patel (7)

Nays: Commissioners Andrew Adil, Avery Buell, Donald Currey, William A. DiBella, Joan Gentile, James Healy, Jean Holloway, Byron Lester, Diane Lewis, Maureen Magnan, Alvin Taylor, Calixto Torres and James Woulfe (13)

Abstentions: (0)

Absent &

Not Voting: Commissioners David Drake, David Ionno, Alphonse Marotta, Jon Petoskey, Pasquale J. Salemi and Richard Vicino (6)

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

COMMISSIONERS COMMENTS AND QUESTIONS

Commissioner Taylor expressed that he finds the allegations raised against him and statements by the Audit Committee upsetting. He

acknowledged that he spoke to Attorney Mara from Sandler & Mara but not Jim Sandler. He stated that he was basically dealing with a constituent and has a right to do so as a Commissioner. He stated that his reputation has been damaged and he has not engaged in wrongdoing in his 20 years at MDC. He welcomes the opportunity to state his case and welcomes opportunity to appear before the ethics board. He reminded any members of the public concerned about transparency that they are welcome at all public meetings. Commissioner Taylor also expressed that he is shocked and dismayed by the attacks on Chairman DiBella.

Commissioner Currey asked about the Independent Consumer Advocate's comment at the beginning of the meeting regarding citizens' concerns and whether those have been forwarded to MDC staff and addressed.

Commissioner Bush believes that the investigation will exonerate those that are innocent and believes the money spent on the investigation is well spent and hopes no Commissioners have done anything to damage the reputation of the MDC.

Commissioner Torres is glad that the Ethics Disclosure and Conflict of Interest Statement is moving forward and suggests training or workshops for Commissioners on the Ethics Rules and conflicts of interest.

ADJOURNMENT

The meeting was adjourned at 8:39 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval