



The Metropolitan District

water supply · environmental services · geographic information

**DISTRICT BOARD
555 MAIN STREET, HARTFORD, CT
SPECIAL MEETING
MONDAY, FEBRUARY 13, 2023 5:30 PM**

The general public is welcome to call into the meeting. Everyone on the call will need to mute their phone to limit background noise disrupting the meeting.

Dial in #: (415)-655-0001; Access Code: 43808661#

[Meeting Video Link](#)

1. MEETING CALLED TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. SWEARING IN OF NEW COMMISSIONERS
5. APPROVAL OF MEETING MINUTES OF JANUARY 4, 2023 AND JANUARY 23, 2023
6. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
7. REPORT FROM DISTRICT CHAIRMAN
8. REPORT FROM CHIEF EXECUTIVE OFFICER
9. REPORT FROM DISTRICT COUNSEL
 - A. DEEP LANDFILL UPDATE (POSSIBLE EXECUTIVE SESSION)
 - B. COLLECTION ACCOUNTS 2022 ANNUAL REPORT
 - C. NORWARD WILLIAMS v MDC CLAIM REPORT
 - D. 54" TRANSMISSION MAIN DAMAGE CLAIM REPORT
 - E. CONSIDERATION AND POTENTIAL ACTION RE: RESOLUTION OF CT DPH DECLARATORY RULING PROCEEDING (POSSIBLE EXECUTIVE SESSION)
 - F. TUNNEL UPDATE (POSSIBLE EXECUTIVE SESSION)
10. BOARD OF FINANCE - CONSIDERATION AND POTENTIAL ACTION RE: STATE OF CT FINANCING DWSRF 2023-7110 (February 1, 2023)
11. COMMITTEE ON ORGANIZATION - CONSIDERATION AND POTENTIAL ACTION RE: APPOINTMENT OF COMMISSIONERS TO COMMITTEES (February 13, 2023)
12. DISCUSSION RE: COMMUNITY OUTREACH FOR INTEGRATED PLAN
13. CONSIDERATION AND POTENTIAL ACTION RE: MEETING TRANSCRIPTS
14. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
15. ADJOURNMENT

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, January 4, 2023

PRESENT: Commissioners Andrew Adil, John Avedisian, John Bazzano, Clifford Avery Buell, Richard Bush, Donald Currey, Dimple Desai, William A. DiBella, David Drake, John Gale, Peter Gardow, Allen Hoffman, Jean Holloway, Byron Lester, Diane Lewis, Jacqueline Mandyck, Dominic Pane, Alvin Taylor, Calixto Torres and James Woulfe (20)

REMOTE ATTENDANCE: Commissioners Bhupen Patel and Pasquale J. Salemi (2)

ABSENT: Commissioners Joan Gentile, James Healy, Christian Hoheb, Mary LaChance, Maureen Magnan, Michael Maniscalco, Jon Petoskey and New Britain Special Representative Michael Carrier (8)

ALSO PRESENT: Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer (Remote Attendance)
Robert Barron, Chief Financial Officer
Jamie Harlow, Director of Human Resources (Remote Attendance)
Sue Negrelli, Director of Engineering (Remote Attendance)
David Rutty, Director of Operations
Robert Schwarm, Director of Information Technology
Tom Tyler, Director of Facilities
Carrie Blardo, Assistant to the Chief Operating Officer
Julie Price, Executive Assistant
Dylan Pecego, IT Consultant (Remote Attendance)
Joseph Szerejko, Independent Consumer Advocate

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:32 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

On motion made by Commissioner Currey and duly seconded, the meeting minutes of December 5, 2022 were approved. For transparency, Commissioner Mandyck asked that it be put on the record that her abstention from voting on the resolution to increase funding for Metro Hartford Alliance at the December Board meeting was due to CEO David Griggs of Metro Hartford being on a board of which she is the Executive Director.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

Without objection, the agenda was amended to refer item #9, Vacancies on Committee on Technology, to the Committee on Organization.

Without objection, Commissioner Currey made a motion to add an additional member to the Committee on Technology.

RECESS

At 5:40 PM, Commissioner Hoffman made a motion to recess the District Board meeting to enable the Committee on Organization to consider Commissioner appointments to Committees. The motion was duly seconded and passed unanimously.

RECONVENE

At 5:51 PM, without objection, District Chairman DiBella reconvened the meeting of the District Board.

REPORT FROM THE DISTRICT CHAIRMAN

Chairman William DiBella briefed the District Board on the NEBRA conference on Residuals & Biosolids, held in Portsmouth, New Hampshire, and that it focused heavily on PFAS.

REPORT FROM CHIEF EXECUTIVE OFFICER

Chief Executive Officer Scott Jellison reported to the District Board on the upcoming

Strategic Planning meetings that will be held to present the Management Study, the DPH declaratory ruling hearing being held on January 5, 2023, a meeting with watershed towns on December 8, 2022 to discuss the Colebrook issue, and the \$2.5 million federal grant that was received for a new transmission main across the Connecticut River.

Commissioner Gale entered the meeting at 6:14 PM.

REPORT FROM DISTRICT COUNSEL

District Counsel Christopher Stone updated the District Board on the Marriott assessment appeal and on the litigation related to the tunnel dispute resolution board.

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF COMMISSIONERS TO COMMITTEES**

To: District Board January 4, 2023

From: Committee on Organization

At a meeting of the Committee on Organization held on January 4, 2023, it was:

Voted: That the Committee on Organization recommend to the District Board appointment of the following Commissioners to the following Committees:

Bureau of Public Works

John Bazzano

John Gale

Personnel, Pension & Insurance

Dimple Desai

Committee on MDC Government

Dimple Desai

Water Bureau

Dimple Desai

Committee on Technology

Andrew Adil

Peter Gardow

Strategic Planning Committee

John Bazzano

John Gale

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

**COMMITTEE ON MDC GOVERNMENT
APPOINTMENT OF LEGISLATIVE CONSULTANTS**

To: District Board

January 4, 2023

From: Committee on MDC Government

Over the past year, the firms of Gaffney, Bennett and Associates Inc. (Attorney Brendan Fox), SJB Strategies, LLC (Attorney Steve Bonafonte) and Strategic Outreach Solutions, LLC (Janice Flemming) have provided exemplary service in the area of government relations and advocacy within state government on behalf of the District, and the same holds true for Squire Patton Boggs (William Schuster) and SJB Strategies, LLC on the federal level. Based upon their collective past performance, and to maintain the necessary level of continuity within the District's legislative and administrative lobbying activities, District staff recommends the reappointment of each of these firms for the 2023 state and federal legislative consultants. The term of these appointments would be from January 1, 2023 through December 31, 2023, subject to Board approval.

Furthermore, in the event the Committee on MDC Government forwards the appointments to the District Board, District staff recommends the following annual fees for state legislative/administrative consultants: (1) Gaffney, Bennett and Associates, Inc. receive \$69,000.00, (2) SJB Strategies, LLC receive \$25,000.00 and (3) Strategic Outreach Solutions, LLC receive \$66,000.00, for a total of \$160,000.00.

On the Federal level, District staff recommends the reappointment of Squire Patton Boggs and SJB Strategies LLC as federal legislative consultants. In the event the Committee on MDC Government forwards the appointments to the District Board, District staff recommends the following annual fees for federal legislative/administrative consultants: (1) Squire Patton Boggs receive \$150,000.00; and (2) SJB Strategies, LLC receive \$70,000.00.

It is therefore recommended that it be:

Voted: That the Committee on MDC Government recommends to the District Board passage of the following resolution:

Resolved: That the firms of Gaffney, Bennett and Associates Inc., SJB Strategies, LLC and Strategic Outreach Solutions, LLC be retained to perform state

lobbying services for a period commencing on January 1, 2023 and terminating on December 31, 2023. Gaffney, Bennett and Associates, Inc. fee will receive \$69,000.00, SJB Strategies, LLC will receive \$25,000.00, and Strategic Outreach Solutions, LLC will receive \$66,000.00, subject to the execution of a written agreement prepared and approved by District Counsel as to form and content, reflecting the scope of services, reporting requirements and such other terms and conditions as District Counsel, may specify.

Further

Resolved: That the firms of Squire Patton Boggs and SJB Strategies, LLC be retained to perform federal lobbying services for a period commencing on January 1, 2023 and terminating on December 31, 2023. Squire Patton Boggs will receive at \$150,000.00 and SJB Strategies, LLC will receive \$70,000.00, subject to the execution of a written agreement prepared and approved by District Counsel as to form and content, reflecting the scope of services, reporting requirements and such other terms and conditions as District Counsel may specify.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

Without objection, Commissioner Currey made motion to amend the agenda to add "Service of Tax Warrants for Fiscal Year 2023" for report.

**DISTRICT CLERK
SERVICE OF TAX WARRANTS FOR FISCAL YEAR 2023**

To: District Board

January 4, 2023

From: District Clerk

Pursuant to the Charter of the District, Section 3-13, the District Clerk reports that Tax Warrants for Fiscal Year 2023, drawn by the Chairman of The Metropolitan District, in favor of the Treasurer have been served on the following:

Town Clerk, Marguerite Phillips, Bloomfield
Town Clerk, Robert J. Pasek, East Hartford
Town and City Clerk Noel McGregor, Hartford
Town Clerk James Krupinski, Newington
Town Clerk Sandra Merrill Wieleba, Rocky Hill
Town Clerk Essie S. Labrot, West Hartford
Town Clerk Sue Schroeder, Wethersfield
Town Clerk Anna Posniak, Windsor

Receipts for these tax warrants have been received and are on file in the Office of the District Clerk.

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

Without objection, the report was received.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

COMMISSIONER COMMENTS & QUESTIONS

Commissioner Avedisian asked whether a Commissioner is required to disclose the reason why they recused themselves or abstained from voting.

Commissioner Adil discussed his time served with Chairman DiBella and that there has been a lot of negativity around the organization recently and that Commissioners should resolve to work together and find the best paths forward for the organization.

Commissioner Currey asked about the conflict of interest form and if it would be prudent to have Commissioners watch the 30-minute video used by the State of Connecticut that explains conflicts of interest before they sign.

ADJOURNMENT

The meeting was adjourned at 6:45 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval

**THE METROPOLITAN DISTRICT COMMISSION
SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Monday, January 23, 2023

PRESENT: Commissioners Andrew Adil, Kyle Anderson, John Bazzano, Richard Bush, Donald Currey, William A. DiBella, John Gale, Joan Gentile, Diane Lewis, Jon Petoskey, Alvin Taylor and Calixto Torres (12)

REMOTE ATTENDANCE: Commissioners Dimple Desai, Dominic Pane and Pasquale J. Salemi (3)

ABSENT: Commissioners John Avedisian, Clifford Avery Buell, David Drake, Peter Gardow, James Healy, Allen Hoffman, Christian Hoheb, Jean Holloway, Mary LaChance, Byron Lester, Maureen Magnan, Michael Maniscalco, Jacqueline Mandyck, Bhupen Patel, David Steuber, James Woulfe and New Britain Special Representative Michael Carrier (17)

ALSO PRESENT: Linda Russo, Citizen Member
John S. Mirtle, District Clerk
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer (Remote Attendance)
Robert Barron, Chief Financial Officer
Jamie Harlow, Director of Human Resources (Remote Attendance)
Sue Negrelli, Director of Engineering (Remote Attendance)
Robert Schwarm, Director of Information Technology
Olga Cordova, Manager of Human Resources (Remote Attendance)
Piotr Krzyk, Financial Analyst (Remote Attendance)
Allen King, Real Estate Administrator (Remote Attendance)
Tra Phan, Controller (Remote Attendance)
Diana Phay, Treasury Manager (Remote Attendance)
Lisa Remsen, Manager of Budget and Analysis (Remote Attendance)
Carrie Blardo, Assistant to the Chief Operating Officer
Victoria Escoriza, Executive Assistant
David Baker, IT Consultant
Joe Szerejko, Independent Consumer Advocate (Remote Attendance)

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 1:05 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.

Chairman DiBella recognized former Commissioner Daniel Camilliere who recently passed away.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen of West Hartford inquired about a reference in the Code of Ethics about sharing an interest with the majority of the general public and what that means.

Commissioner Salemi entered the meeting remotely at 1:16 PM

Commissioner Gale entered the meeting at 1:25 PM

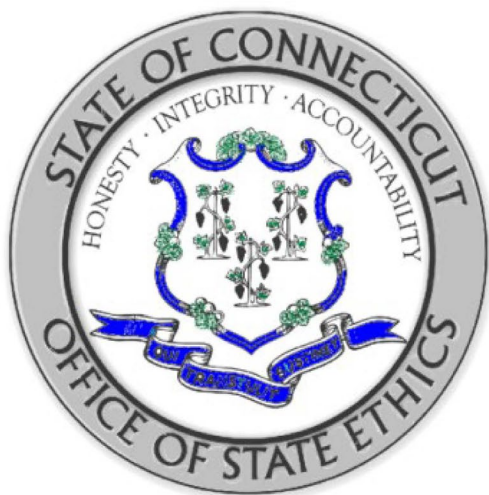
PRESENTATION BY OFFICE OF STATE ETHICS

Peter Lewandowski, from the Office of State Ethics, provided a presentation regarding Conflicts of Interest.



**Presented by
Peter Lewandowski, Executive Director**

The Big Picture



Knowing the Limits

HOW WE CONDUCT OURSELVES
AS PROFESSIONALS

Conflicts of Interest

Prohibitions and Disclosures

Public Policy

Prevent Corruption

Protect Government
Interests

Attract Good Public
Servants

Provide Transparency

Why Disclose?

to maximize public confidence
in governmental decision
making and provide individual
checklist of likely conflicts

CONFLICTS OF INTEREST

Is it a Conflict?

- Will you derive financial benefit from official action?
- Will your immediate family members benefit from your actions?
- Will any affiliated businesses benefit from your actions?
- Is the benefit distinct from other similarly situated persons?

CONFLICTS OF INTEREST

Direct or Potential Conflict?

Appearance of a Conflict?

Taking Official Action

Direct (Substantial) Conflicts

You have reason to believe or expect that. . .

- Either you, your immediate family member or an associated business
- Will obtain a *direct* monetary **gain** or suffer a *direct* monetary **loss** by reason of your official activity
- In a way that is distinctly different from its effect on other persons in the same profession, occupation or group
- When faced with direct conflict: recusal is required

Taking Official Action

Examples of Direct (Substantial) Conflicts

- An official failed to recuse himself from taking official action on his own worker's compensation claim which resulted in his financial advantage.
- An official awarded a graduate fellowship to official's spouse. Directed others to hire the official's spouse as a graduate assistant, providing financial benefit to the spouse in excess of \$50,000.

Taking Official Action

Potential Conflicts

When you are required to take official action *that would affect a financial interest of...*

- Either you, your spouse, parent, brother, sister, child or the spouse of a child or an associated business
- No potential conflict if any resultant gain/loss is equal for a substantial segment of the public (e.g., all homeowners) affected by official action or is de minimis (<\$100)

Taking Official Action

TEST FOR POTENTIAL CONFLICTS

Reasonable expectation on the part of the individual that there will be some financial impact based on individual's actions. No requirement that the financial impact be direct.

(*reasonable expectation* = considered likely, as opposed to merely conceivable)

Taking Official Action

WHAT TO DO WHEN FACED WITH POTENTIAL CONFLICTS

- If a member of a board, commission or other deliberative body – abstentions and disclosures
- If an employee - abstentions and disclosures (informing supervisor). If no supervisor – contact legal counsel for advice

Taking Official Action

Examples of Potential Conflicts

- Employee failed to inform his superiors when he was faced with a conflict of interest involving the hiring of his son by a contractor over which he had administrative oversight (approval of hiring and payroll).
- An official created an \$80,000 temporary worker position in a proposed grant for an entity that the official intended to obtain upon official's retirement from public service.

Taking Official Action

Appearances of a Conflict

The Optics Test

Acting in a manner that would cause a reasonable person think that you can be improperly influenced

Consider whether your relationships and affiliations could prevent you from acting fairly and objectively

If yes – disclosure would be required

Taking Official Action

MDC Disclosure Forms

- Code of Ethics Policy Acknowledgment and Disclosure of Potential Conflicts of Interest
- Source Selection Participation Agreement
- Request for Information Participation Agreement

Connecticut Office of State Ethics

When in doubt

**Always Get
Advice**

ADJOURNMENT

The meeting was adjourned at 2:03 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval

**APPROVAL FOR STATE OF CONNECTICUT FINANCING
DWSRF 2023-7110**

To: District Board

February 13, 2023

From: Board of Finance

Staff seeks approval from your Board to execute and deliver the Interim Funding Obligation and/or Project Loan Obligation to the State of Connecticut for DWSRF 2023-7110 having a principal amount of \$1,934,303.55 and having an interest rate of 2.00%.

The low interest loan and accompanying grant will fund the replacement of water mains in the Boulevard & Garfield Road Area in West Hartford.

The State of Connecticut, through the Drinking Water State Revolving Fund Program, will provide \$2,084,303.55 in state funding with \$150,000.00 in grants and \$1,934,303.55 in low interest loans at 2.00% to fund the expenses associated with this agreement.

Bond Counsel prepared the following resolution for your approval.

At a meeting of the Board of Finance held on February 1, 2023, it was:

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

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 Subsidy Agreement DWSRF 2023-7110 to be entered into with the State of Connecticut (the "Agreement") and any and all Interim Funding Obligations and Project Loan Obligations for DWSRF 2023-7110 in the aggregate amount not to exceed \$1,934,303.55, to fund the replacement of water mains and associated appurtenances in the vicinity of Boulevard and Garfield Road in West Hartford, Connecticut. All previous actions taken by the District, including the actions of the Chairman, or in his absence, the Vice-Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer, related to the Agreement and any and all related documents, shall hereby be ratified and confirmed. Such Interim Funding Obligations shall be dated as of their date of issue, shall mature within six months of the Scheduled Completion Date, as defined in the Agreement, shall bear interest at a 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 a rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectfully submitted,

A handwritten signature in black ink that reads "John Mirtle". The signature is written in a cursive, slightly stylized font.

John S. Mirtle, Esq.
District Clerk

MEETING TRANSCRIPTS

To: District Board

February 13, 2023

It is the longstanding policy of the District to audio record District Board and committee meetings. In February 2018, the District Board authorized West Hartford Community Television to video record District Board meetings and broadcast the recordings on West Hartford Community Television's public access channel. It is not the policy or practice of the District to create transcripts of all District Board or committee meetings. The audio/video recording and meeting minutes constitute the record of the meeting.

In the past year, staff began utilizing an online transcription service to create transcripts for a limited number of meetings, or portions of meetings, in order for staff to accurately respond to and address matters raised by Commissioners, committees and the District Board. The District Clerk recently received requests from Commissioners for transcripts of meetings which do not exist and staff did not intend to transcribe. Staff requests the District Board to establish a policy for Commissioner requests for the creation of meeting transcripts due to the associated costs, including employee time required to review, verify and finalize the transcripts.

It is recommended that it be:

Voted: That the District Board approve passage of the following resolution:

Resolved: It is hereby the policy of the District Board that any Commissioner may request the District Clerk to create a transcript of any meeting of the District Board, its committees or subcommittees. The District Clerk shall create said transcript and provide to any requesting Commissioner, as well as other members of the District Board and Citizen Members of the Board of Finance. The District Clerk may utilize professional transcription services to do so and any associated costs shall be paid out of the District Board meeting expenses budget.

Respectfully submitted,


John S. Mirtle, Esq.
District Clerk